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THE THIRD REPORT
OF THE
CRIMINAL INJURIES COMPENSATION BOARD,
FORMERLY KNOWN AS THE
LAW ENFORCEMENT COMPENSATION BOARD
UNDER
THE LAW ENFORCEMENT COMPENSATION ACT, 1967,
AS AMENDED
AND
THE COMPENSATION FOR VICTIMS OF CRIME ACT, 1971
FOR THE YEAR JANUARY 1, 1971 TO DECEMBER 31, 1971

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Ontario. Law Enforcement Com
Report of the Law
Enforcement Compensation Boa

DATE	ISSUED TO
Oct 5.	M. L. K. Paul

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Ontario. Law Enforcement Com
Report of the Law
Enforcement Compensation Boa

THE THIRD REPORT

of the

CRIMINAL INJURIES COMPENSATION BOARD,

formerly known as the

LAW ENFORCEMENT COMPENSATION BOARD

under

THE LAW ENFORCEMENT COMPENSATION ACT, 1967, AS AMENDED

and

THE COMPENSATION FOR VICTIMS OF CRIME ACT, 1971

for the year January 1, 1971 to December 31, 1971

THE BOARD IN 1971¹

His Honour Chief Judge C. E. Bennett, Chairman — Meaford
R. P. Milligan, Esq., Q.C., Vice-chairman — Cornwall
F. B. Deacon, Esq., — Belleville
A. R. Willmott, Esq., Q.C. — Cobourg
I. M. Macdonell, Esq., Q.C. — Toronto

THE BOARD IN 1972²

A. A. Wishart, Esq., Q.C., Chairman — Sault Ste. Marie
F. B. Deacon, Esq.,
A. R. Willmott, Esq., Q.C.
R. C. Rutherford, Esq., Q.C. — Toronto
V. K. McEwan, Esq., Q.C. — Toronto

J. B. Lind, Esq.

Registrar

ADDRESS

Criminal Injuries Compensation Board,
Room 201, 454 University Avenue,
Toronto 2, Ontario. Telephone: 965-4755

¹ I. M. Macdonell, Esq., Q.C., resigned from the Board effective September 9, 1971. His Honour Chief Judge C. E. Bennett resigned as Chairman and will be resigning from the Board in the near future.
² A. A. Wishart, Esq., Q.C., became a member and Chairman of the Board effective January 1, 1972.
R. C. Rutherford, Esq., Q.C., was appointed to the Board on February 9, 1972.
R. P. Milligan's resignation was accepted on March 22, 1972.
V. K. McEwan, Esq., Q.C., was appointed to the Board on March 22, 1972.

1972

The Honourable Dalton A. Bales, Q.C., M.P.P.,
Attorney General for Ontario,

Parliament Buildings,
Toronto 2, Ontario

Honourable Sir,

I have the honour to submit the third report of the Criminal Injuries Compensation Board, formerly known as the Law Enforcement Compensation Board, which covers the period January 1, 1971 to December 31, 1971.

I must point out that the report has been prepared in its entirety by His Honour Chief Judge Colin E. Bennett who was Chairman of the Board until December 31, 1971. It is typical of him that his sense of duty and responsibility impelled him to undertake the very onerous and time consuming task of preparing this very comprehensive and detailed report.

In the closing paragraphs of the report Judge Bennett pays tribute to a number of persons who had some part in the preparation of the legislation and in the administration of the Act. Again with typical modesty he fails to mention the major part he played in the draughting and proposing amendments to improve the legislation and the very valuable contribution which he made as Chairman of the Board in administering the Act, establishing procedures, and building a most useful and helpful jurisprudence.

I am glad to make the above comments without which the report would be incomplete.

Yours respectfully,

A. A. Wishart
Chairman.

THE LEGISLATION IN ONTARIO

The Law Enforcement Compensation Act, 1967, was given Royal Assent on June 15, 1967, and proclaimed in force on April 1, 1968. Under the Act, as passed in 1967, the Board was restricted to awarding compensation where a person was killed or injured assisting a peace officer.

The Act was amended in 1969, the amendments being given Royal Assent on June 27, 1969, and being made retroactive to April 1, 1968. The amendments broadened the Act so that compensation might be paid, not only where a person is killed or injured assisting a peace officer, but also where the person by himself lawfully engages in enforcement of the law, or where he is simply a victim of crime.

A new act, The Compensation for Victims of Crime Act, 1971, proclaimed on September 1, 1971, repealed The Law Enforcement Compensation Act, 1967, and The Law Enforcement Compensation Act, 1968-1969, but provided that with respect to claims for compensation arising from an act or omission that occurred during the period in which The Law Enforcement Compensation Act was in force, that is, during the period of April 1, 1968 to August 31, 1971, the said The Law Enforcement Compensation Act, 1967, as amended, with the exception of "Hearings and Procedures" [Section 29 (2) of the new Act] would apply.¹

The provisions of the new Act where they differ materially from the original legislation will be described *infra*. The intent of the new legislation remains unchanged from that of the old Act, namely, to provide compensation to victims of crimes of personal violence or to those injured or killed in taking part in lawful law enforcement or to dependants of such persons, or to other persons qualified under the Act. The titles of the new Act, "The Compensation for Victims of Crime Act, 1971," and of the new Board, "Criminal Injuries Compensation Board" are more descriptive of the intent of the legislation and of the functions of the Board.

LEGISLATION IN OTHER JURISDICTIONS TO COMPENSATE VICTIMS (OR THEIR DEPENDENTS) OF CRIMES OF PERSONAL VIOLENCE

In 1964 New Zealand established the first scheme to provide compensation to victims of crimes of personal violence. Since that time, the United Kingdom, New South Wales, the states of Hawaii, New York, Massachusetts, Maryland, California, Nevada and New

¹ "The Law Enforcement Compensation Act, 1967, as amended, is sometimes herein referred to as "the old Act" and "The Compensation for Victims of Crime Act, 1971" as "the new Act."

Jersey, and in Canada, the provinces of Newfoundland, Manitoba, Saskatchewan, Alberta, Quebec and Ontario, and to a limited extent, New Brunswick and British Columbia have compensation plans in operation. The above list undoubtedly is not complete because many jurisdictions have been considering the enactment of such legislation. The Commissioners on uniformity of legislation in Canada at a conference held in Charlottetown in 1970, prepared a model form of a statute for consideration by the various provincial and federal governments.

REASONS FOR LEGISLATION

The reasons which prompted the enactment of the legislation to compensate victims of crime have been given as:

- (a) The failure of the state to ensure the safety of its citizens (admittedly, the same reasoning extends to victims of fraud and loss of property due to criminal acts, but the cost would be astronomical),

and

- (b) A sense of responsibility which a humane society feels for victims of crime. We live in an era when society recognizes many new obligations. A somewhat analogous recognition in Ontario and other jurisdictions is the compensation paid by the province or state under an unsatisfied judgment fund for persons injured or killed through the negligence of car drivers. Unless the state assumes the responsibility, the victim of crime usually will not be compensated. Generally speaking, it is the poor who commit crimes of violence and it is the poor who are the victims of crime. There is a growing acceptance throughout the Western and English-speaking world that those who are injured, and the spouses and dependants of those who are killed by crimes of violence, ought to be compensated.

THE BOARD

As of January 1, 1971, the Board consisted of:

His Honour Chief Judge C. E. Bennett, Chairman,
R. P. Milligan, Esq., Q.C., Vice-chairman,
F. B. Deacon, Esq.,
A. R. Willmott, Esq., Q.C.,
I. M. Macdonell, Esq., Q.C.

As already indicated, Mr. Macdonell resigned effective September 9, 1971. His Honour Chief Judge C. E. Bennett resigned as Chairman and will be leaving the Board soon; and A. A. Wishart, Esq., Q.C., became the Chairman effective January 1, 1972.

ADMINISTRATION

The Registrar of the Criminal Injuries Compensation Board is Mr. J. B. Lind. He is supported by a staff of six, which includes an Investigator, Mr. C. O. Huggard.

Costs of Administration:

The costs to administer the Act for 1971 were as follows:

Staff Salaries	\$36,614.46
Employees' benefits	4,053.64
Board members' fees ¹	8,139.19
Travel	1,041.03
Office Supplies	5,716.82
Furniture and equipment	3,045.98
Total cost of administration	\$58,611.12

The total of administration (\$58,611.12) and awards granted (\$395,555.70) is \$454,166.82. Therefore, 12.9% of our budget has been required for administrative purposes.

VOLUME OF WORK

As has been the experience in other jurisdictions, the number of applications continue to increase because a considerable period of time is required to acquaint the public as to its rights under the comparatively new victims of crime legislation.

	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>
	(Only those assisting a peace officer were eligible)	(Legislation given Royal Assent on June 27, 1969 making victims of crime eligible)		
Applications received	1	72	247	438
Applications heard	1	20	129	217
Total amount of awards granted	0	\$20,801.00	\$245,733.00	\$395,555.00
Hearings pending	0	52	165	380

¹ The Chairman and Vice-chairman did not receive fees.

The year 1970 was the first year in which victims of crime, in addition to persons injured or killed in law enforcement participation, were compensable. The above figures for 1971 show a substantial increase over 1970. In our opinion, in light of the experience of other jurisdictions, particularly in the United Kingdom and New York State, and our belief that the Board is only receiving a small percentage of the claims of those qualified, the number of applications will continue to increase steadily and substantially. It can be anticipated that at least 50 applications per month will be received in 1972 which, with the 380 claims now on hand, will be a heavy workload for the Board. On the basis of past experience, a forecast of the payment of \$800,000 in awards in 1972 seems reasonable. A further increase in applications for 1973 must be expected. We are certain that there are many deserving victims who are unaware of our existence.

With the increased number of applications now being received the number of hearings has been correspondingly increased to keep abreast of the situation and to dispose promptly of all cases which are ready to be heard.

As will be seen in Appendix "A", the average award in 1971 amounted to \$1892.42 singularly close to the average of \$2020.00 in 1970 and \$1891.00 in 1969. This average is obtained by the inclusion on the one hand of many small awards arising from offences such as assault and assault causing bodily harm, and on the other hand, large awards founded upon offences such as murder, rape, wounding and assault causing bodily harm. Assault causing bodily harm is by far the most frequent offence. It is to be noted that approximately fifty per cent (50%) of the total amount awarded in 1971, as it was in 1969 and 1970, was for pain and suffering.

"SUMMARY OF CLAIMS AND DISPOSITION", "MONTHLY SUMMARY OF AWARDS GRANTED", "CONSOLIDATED SUMMARY OF AWARDS", "PERIODIC MONTHLY AND ANNUAL AWARDS" and "SUMMARY OF DECISIONS".

Appendix "A" attached hereto and forming part of this report contains a summary of claims showing their disposition with a monthly summary of awards granted, and a consolidated summary of awards, including a brief outline showing the nature of each case dealt with by the Board.

THE FILING AND HEARING OF CLAIMS

It is necessary to refer to both acts, the old Act being now applicable to offences occurring in the period April 1, 1968 to August 31, 1971, with the exception of "Hearings and Procedures", and the new Act from September 1, 1971 on.

1. *Who may apply for compensation?*

Section 5 of The Compensation for Victims of Crime Act, 1971 stipulates:

- (d) the victim;
- (e) a person who is responsible for the maintenance of the victim;
- (f) where the death of the victim has resulted, the victim's dependants or any of them or the person who was responsible for the maintenance of the victim immediately before his death or who has, on behalf of the victim or his estate and not being required by law to do so, incurred an expense referred to in clause (a) or (e) of subsection 1 of Section 7 arising from the act or omission.

Section 3 (2) of The Law Enforcement Compensation Act, 1967, as amended, reads:

- (a) the victim;
- (b) a person who is responsible for the maintenance of the victim and who suffers pecuniary loss or expenses as the result of the injury;
- (c) where the death of the victim has resulted, the victim's dependants or any of them.

Clause 5 (f) of the new Act allows the Board¹ to compensate such persons as a brother or a friend who has paid, for example, the funeral expenses of a victim of crime.

Provided that the offence occurred in Ontario, the victim or applicant may be from any other province or country. The first maximum lump sum award was made to a citizen of the United States, the widow of one of two men who were shot and killed by three men in 1969 near Ottawa. Although the old Act does not say so in plain language, the Board will not compensate a resident of Ontario who is injured in any other province [despite the wording, "commission of an offence against any statute of Canada. . . .", in Section 3 (1) (a)]. The new Act specifies in Section 5 that the person be injured or killed by an act or omission *in Ontario*.

There is no means test under either the old or the new Act.

¹ "Board" is used in three senses in this report. "Board" may mean the full membership of the Board under either the old Act or the new Act, or the quorum of the Board which hears the claim under either Act, or the single member designated under the new Act to hear the claim.

2. *Time Limitation*

Section 6. of The Compensation for Victims of Crime Act, 1971, is in this form:

“6. An application for compensation shall be made within one year after the date of the injury or death, but the Board, before or after the expiry of the one-year period, may extend the time for such further period as it considers warranted.”

Section 6. of the old Act contains a similar provision.

Due to the newness of the legislation, the Board has never rejected an application because it was untimely, provided, of course, that the crime occurred on or after April 1, 1968.

3. *Procedure in Filing and Hearing Claims*

- (a) Upon inquiry to the Criminal Injuries Compensation Board, 454 University Avenue, Room 201, Toronto 2, Ontario, a form is given or mailed to the prospective claimant, who is advised to submit the completed form together with medical reports, receipts and material to support his claim.
- (b) The Registrar obtains the police report and communicates with the appropriate crown attorney or other authority to ensure that the charge against the offender has been disposed of and that the time for appeal has expired.
- (c) The Registrar corresponds with the claimant, if necessary, with the intent that the material be complete.
- (d) The claim is scheduled for hearing and the offender is notified, in accordance with the Act,¹ of the hearing date.
- (e) The power of the Board to summon witnesses is given in Section 12 of The Statutory Powers Procedure Act, 1971. Requests for the issuance of a summons should be directed to the Registrar of our Board.
- (f) Under the Act, there must be a hearing. While the evidence is given under oath, the Board tries to develop an atmosphere of informality in the board room which is conducive to the obtaining of the required information in support of a claim. At an international conference to study and consider legislation to compensate victims of crime, in Los Angeles in 1968, it was agreed that a

¹ The new Act. Under Section 29 (2) the hearings and procedures under the new Act apply to claims under both Acts.

board rather than the courts should adjudicate upon claims. One of the reasons in support of this conclusion was the informality of the board room. All jurisdictions which have this type of legislation have boards, with the exception of Massachusetts, where the courts are used.

At the hearings, both the witness and counsel are seated while the witness is giving evidence.

Generally, there is no adherence to the strict rules of evidence. See Section 15 (1) of The Statutory Powers Procedure Act, 1971. Counsel is allowed to lead the witness in most instances. Heresay may be admitted.

- (g) Written reasons for each decision are also mandatory under this legislation. The claimant is usually informed at the hearing as to whether he qualifies for compensation, but not always, and if he qualifies, as to the amount, which is decided later by the Board.
- (h) The cases are usually heard at Toronto but from time to time hearings are held throughout the province. Under the new Act, the application may be heard either by the Board consisting of at least two members or by a single member of the Board designated by the Chairman (Section 8). As pointed out later, the decision of a single member may be required to be reviewed by two or more other members of the Board.
- (i) The decision making an award, or refusing compensation, is mailed to the claimant, or if there is a solicitor, to the solicitor, with copies to the Toronto and local newspapers and to the university law libraries. A copy of the decision is also delivered to the Attorney General.

WHAT MUST BE PROVEN

There are two main items of proof:

1. that injury or death resulted because the victim was a victim of violent crime, or was hurt or killed while lawfully engaged in enforcement of the law, and
 2. the damages or the amount of the compensation.
1. *That injury or death resulted because the victim was a victim of violent crime or was hurt or killed while lawfully engaged in enforcement of the law:*

Under The Law Enforcement Compensation Act, 1967, as amended, (for the period April 1, 1968 to August 31, 1971), Section 3 (1) reads:

“Where any person is injured or killed by any act or omission of any other person occurring in or resulting directly from,

- (a) the commission of an offence against any statute of Canada or Ontario, not including an offence involving the use or operation of a motor vehicle as defined in The Highway Traffic Act but including assault by means of such motor vehicle;
- (b) lawfully arresting or attempting to arrest an offender or suspected offender, or assisting a peace officer therein;
- (c) preventing or attempting to prevent the commission of a crime or suspected crime, or assisting a peace officer therein;

The Board may, on application therefore and after a hearing, make an order in its discretion exercised in accordance with this Act for the payment of compensation and the decision of the Board is final and conclusive for all purposes.”

Under The Compensation for Victims of Crime Act, 1971, (for injury or death caused on and after September 1, 1971), Section 5 reads:

“Where any person is injured or killed by any act or omission in Ontario of any other person occurring in or resulting from,

- (a) the commission of a crime of violence constituting an offence against the Criminal Code (Canada), including poisoning, arson, criminal negligence and an offence under Section 86 of that Act but not including an offence involving the use or operation of a motor vehicle other than assault by means of a motor vehicle;
- (b) lawfully arresting or attempting to arrest an offender or suspected offender for an offence against a person other than the applicant or his dependent or against such person’s property, or assisting a peace officer in executing his law enforcement duties; or
- (c) preventing or attempting to prevent the commission of an offence or suspected offence against a person other than the applicant or his dependant or against such person’s property,

the Board on application therefore, may make an order that it, in its discretion exercised in accordance with this Act, considers proper for the payment of compensation to,
”

It has already been noted that the new Legislation specifies that the act of violence or omission must have occurred in Ontario. The new Act also stipulates that it must be a crime of violence and an offence against the Criminal Code (Canada) rather than an offence against any statute of Canada or Ontario as set out in Section 3 (1) (a) of the old Act. While the Board made several awards under the old Act in which the offence was an offence under The Game and Fisheries Act, a provincial statute, the provision in Section 5 (a) that it must be a crime of violence and an offence against the Criminal Code (Canada) will not alter the criteria adopted by the Board under the old Act in that the Board consistently held that the criminal act must be an offence of violence. The several awards based on a violation of The Game and Fisheries Act involved acts of violence which could have supported an award under Section 86 of the Criminal Code (dangerous use of fire arms). However Section 5 (a) of the new Act makes it clear that the offence must be one of violence and against the Criminal Code (Canada).

Clause (a) in each Act deals with “victims of crime”.

Clauses (b) and (c) in each Act relate to “law enforcement claims”.

Out of the 354 claims heard from the Board’s inception, only 9 have been related to law enforcement and all of these have been under (b). In all the law enforcement cases we have heard, the claimant would have qualified not only under clause (b) but also simply as a victim of crime under clause (a). Under the new Act, preferential consideration is given to law enforcement claimants over the ordinary victim of crime in two areas; (1) damages recoverable at common law may be awarded [Section 7 (2)] and (2) there is no maximum limit for the award [Section 19 (5)].

Degree of Proof Necessary

The applicant is called upon to prove his case on a balance of probabilities.

Where the Offender is an Infant, Mentally Disordered or Drunken

We decided under the old Act (In re Bortolon, award April 21, 1970, and in other cases) that a person should be deemed to have intended an act or omission notwithstanding that by reason of age, insanity, drunkenness or otherwise, he was legally incapable of forming a criminal intent. Subsection (2) of Section 16 of the new Act recognizes this principle.

Method of Proving that a Crime was Committed

In the vast majority of cases, there is no difficulty in proving that a criminal offence has been committed. A police report is obtained by the Registrar of the Board and is available at the hearing. A certificate of conviction is sometimes submitted by counsel for the claimant. The claimant or some other witness usually gives evidence to identify the person named in the police report or in the certificate of conviction as the offender who injured or killed the victim.

The Board may decide however that a crime was committed whether or not the offender was prosecuted or convicted. This is so even where the offender was known but was not prosecuted or convicted. The burden of proving a criminal offence before us is less onerous than in a criminal court.

The standard of proof before us is, as indicated, on the balance of probabilities and not beyond a reasonable doubt. Again evidence is available to our Board which cannot be presented in a court of law. For instance, the offender may have given evidence at an inquest under the protection of the Canada Evidence Act and the Ontario Evidence Act which cannot be used against him in a subsequent criminal or civil proceeding but is compellable before us. And, as has been stated, hearsay evidence is admitted to some extent.

Section 11 of The Compensation for Victims of Crime Act, 1971, is new and reads as follows:

“If a person is convicted of a criminal offence in respect of an act or omission on which a claim under this Act is based, proof of the conviction shall, after the time for an appeal has expired or, if an appeal was taken, be taken as conclusive evidence that the offence has been committed.”

2. *The Damages or the Amount of Compensation*

The second main item is the proof of the amount of compensation:

- (i) Section 7 (1) (a) of the new Act [Section 4 (1) (a) of the old Act] – *Expenses Actually and Reasonably Incurred as a Result of the Victim's Injury:*

Out-of-pocket medical and hospital expenses are compensable under this heading. In assessing compensation under this heading, the Board takes into consideration any benefit, compensation or indemnity payable to the applicant from any source. Sums paid for the benefit of the claimant or received by him from sickness and accident insurance, hospitalization and medical insurance whether private or public schemes, Workmen's

Compensation etc. are therefore deducted in calculating the pecuniary loss to the victim. The new Act in subsection (2) of Section 17 confirms the practice of the Board:

“In assessing pecuniary loss, the Board shall take into consideration any benefit, compensation or indemnity payable to the applicant from any source.”

Compensation is not given for property damage except to a limited extent for items on the person of the victim damaged by the offender in a criminal act, such as glasses and dentures. We do not compensate for money taken from the person.

- (ii) Section 7 (1) (b) of the new Act [Section 4 (1) (b) of the old Act] – *Pecuniary Loss by the Victim as a Result of Total or Partial Disability affecting the Victim's capacity for work:*

In arriving at the pecuniary loss to the victim as a result of incapacity for work, the Board accepts the gross pay as the base and then subtracts these deductions which do not represent any savings or credit accumulated for the employee, such as unemployment insurance and income tax.

- (iii) Section 7 (1) (d) of the new Act [Section 4 (1) (d) of the old Act] – *Pain and Suffering:*

As was pointed out in our first report, the Board compensates for “pain and suffering” but, unlike the general damages given in a lump sum by a court, no consideration is given for loss of the expectation of life or loss of the amenities of life unless the claimant qualifies under Subsection 2 of Section 7 of the new Act which reads as follows:

“(2) Where the injury to a person occurred in the circumstances mentioned in clause *b* or *c* of section 5 (law enforcement participation) the Board may, in addition to the compensation referred to in subsection 1, award compensation to the injured person for any other damage resulting from the injury for which damages may be recovered at common law.”

- (iv) Section 7 (1) (e) of the new Act reads:

“(e) *Maintenance of a child born as a result of rape*”;

This provision was not in the old Act.

- (v) Section 7 (1) (f) of the new Act [Section 4 (1) (e) of the old Act] – *Other Pecuniary Loss Resulting from the Victim's Injury and any Expense that, in the opinion of the Board, it is reasonable to incur:*

Under this heading we allow the cost of obtaining the necessary evidence such as medical reports, and in some cases, transcripts of evidence, the expenses of counsel and of the claimant to attend the hearing and a legal fee to cover the preparation of documents, interviews, preparation of cases and counsel fee.

b. *If the Victim was Killed*

- (i) Section 7 (1) (a) of the new Act [Section 4 (1) (a) of the old Act] – *Expenses Actually and Reasonably Incurred as a Result of the Victim's Injury or Death:*

Funeral expenses are paid under this heading if pecuniary loss to the dependants can be established. In any instances, there is no pecuniary loss under this heading because of assets or insurance of the deceased.

- (ii) Section 7 (1) (c) of the new Act [Section 4 (1) (c) of the old Act] – *Pecuniary Loss to the Dependents as a Result of the Victim's Death:*

To ascertain the pecuniary loss, for instance of a widow with children, the Board determines the moneys which the husband, if he had lived, would have brought home for the benefit of the wife and children and then subtracts the widow's present income.

MISCELLANEOUS

Appeal

Under the old Act, Section 3 (1) provided that the decision of the Board is final and conclusive for all purposes. It was decided in *Re Botrie*, April 22, 1969, that the decision of the Board was subject to review by the Supreme Court of Ontario by way of certiorari.

Under the new Act, Section 10, the decision of a single member, on request of the applicant or the Attorney General may be reviewed by the Board composed of at least two members. The member who made the original decision is not to sit in review.

Under the new Act with respect to decisions made by the Board, Section 22 states:

“22. Subject to section 24, a decision of the Board is final except that an appeal lies to the Supreme Court from any decision of the Board on any question of law.”

The Judicial Review Procedure Act, 1971 will apply in such cases of appeal.

Review of Awards

Section 24 of the new Act, which gives the Board the right to review its awards, is in this form:

- “24. (1) The Board may at any time on its own initiative or on the application of the victim, any dependant of the victim, the Minister or the offender, vary an order for payment of compensation in such manner as the Board thinks fit, whether as to terms of the order or by increasing or decreasing the amount ordered to be paid, or otherwise.
- (2) In proceedings under subsection 1, the Board shall consider,
- (a) any new evidence that has become available;
 - (b) any change in circumstances that has occurred since the making of the order or any variation thereof, as the case may be or that is likely to occur; and
 - (c) any other matter the Board considers relevant.
- (3) This Act, except section 6, applies to a review under subsection 1 in the same manner as to an application for compensation.”

Under the old Act, Section 13 gave a similar right to the Board to review its awards.

Proceedings Against the Offender

As already stated, the offender is notified where possible. To date, only one offender has appeared and did not remain for the hearing.

Under Section 25 (2) [7 (1) of the old Act] the Board is subrogated to all the rights of the person in whose favour the order is granted in respect of the injury or death to the extent of the amount awarded. No attempt has been made to keep track of the offenders. Many of them are in jail and the whereabouts of a good number are unknown. Generally speaking, we do not consider it economically feasible to pursue them. In a case where it appears that there might

be some chance of recovery, our Investigator conducts an investigation but as a matter of policy, the costs of ascertaining the whereabouts of financial resources of offenders generally is prohibitive. To date we have recovered in four instances, \$1167.00 in 1971, and \$5694.00, \$251.39 and \$400.00 respectively in 1972.

Whether Lump Sum or Monthly Payments

Section 19 (1) and (2) of the new Act reads:

- “(1) The amount awarded by the Board to be paid in respect of the injury or death of one victim shall not exceed,
 - (a) in the case of lump sum payments, \$15,000.00; and
 - (b) in the case of periodic payments, \$500.00 per month,
 and where both lump sum and periodic payments are awarded, the lump sum shall not exceed half of the maximum therefor prescribed in clause (a).
- (2) The total amount award by the Board to be paid to all applicants in respect of any one occurrence shall not exceed,
 - (a) in the case of lump sum payments, a total of \$100,000.00; and
 - (b) in the case of periodic payments, a total of \$175,000.00”

Section 10 (1) of the old Act reads:

- “10 (1) The amount ordered by the Board to be paid in respect of any one occurrence shall not exceed,
 - (a) in the case of lump sum payments, a total of \$10,000.00 or
 - (b) in the case of periodic payments, a total of \$500.00 per month.

There is a vast difference in the maximum between the lump sum maximum in (a) of both acts, whether it be \$10,000.00 or \$15,000.00 and the maximum periodic payment in (b) in both acts of \$500.00 per month although the difference has been narrowed somewhat under the new Act by Section 19 (2) (b) which imposes a ceiling of \$175,000.00 in the case of periodic payments.

The Board in its decisions to date has attempted to structure and confine its wide discretion of making either lump sum or periodic

payment awards in order to avoid inconsistencies by adopting certain criteria to determine when periodic payments should be ordered under Section 19 (1) (b) of the new Act and Section 10 (1) (b) of the old Act. Our thinking has been that the Legislature has indicated in clause (a) of each Act what it had in mind as the maximum in the ordinary claim and that generally a lump sum award would be appropriate; however, there would be exceptional circumstances which would require the ordering of periodic payments. Until now we have restricted awards of periodic payment under (b) where the husband, the breadwinner, has been killed leaving a widow not able to earn a living, either because of children or otherwise, or where the victim was so seriously injured that his or her ability to earn a livelihood was substantially lessened. Undoubtedly, as more experience is gained our criteria will be modified and changed to accommodate circumstances that we do not envisage. The preference of the claimant as to a lump sum payment or periodic payments is of course considered, but is only one of the factors to be weighed.

Maximum Award and “any one occurrence”

If there is only one victim resulting from the criminal act or omission, the maximum lump sum award under the new Act is \$15,000.00 [Section 19 (1)] and under the old Act, \$10,000.00 [Section 10 (1)]; in the case of periodic payments, the maximum under the new Act is \$500.00 per month, with a ceiling of \$175,000.00 plus a lump sum payment not exceeding \$7,500.00; under the old Act the maximum is \$500.00 per month with no ceiling on the total amount paid, but with no authority in the Board to grant a lump sum payment in addition to the awards of periodic payments.

If there is more than one victim in respect of “any one occurrence”, subsection (2) of Section 19 of the new Act states that the maximum to be paid in the case of lump sum payments is \$100,000.00 and in the case of periodic payments, a total of \$175,000.00. Under the old Act, the maximum is \$10,000.00 in the case of lump sum payment and \$500.00 in the case of periodic payments.

The phrase “any one occurrence” is used in both Acts but is only defined in the new Act, in subsection (4) of Section 19. This is subsection (4):

“(4) For the purposes of this section, the Board may deem more than one act to be one occurrence where the acts have a common relationship in time and place.”

No Minimum Restrictions on Awards

There is no minimum specified in the Acts and therefore a claim

however small must be considered by the Board. Our smallest award to date was to a 76 year-old female who was knocked to the pavement in a purse snatching incident while on her way to church. She sustained contusions to her left knee which required out patient treatment at the hospital and an anti-tetanus injection. Her assailant was arrested and being a juvenile was sentenced to training school for an indefinite period. No out of pocket expenses were incurred and there was no pecuniary loss. An award was made to this applicant for pain and suffering in the amount of \$25.00. She subsequently wrote to the Board expressing her satisfaction.

Reduced Awards

Section 17 (1) reads:

“17 (1) In determining whether to make an order for compensation and the amount thereof the Board shall have regard to all relevant circumstances, including any behaviour of the victim that may have directly contributed to his injury or death.”

As we have pointed out in previous reports, this section is sometimes difficult to apply. Normally, provocative behaviour by the victim will result in reduced awards. We have penalized foolhardy conduct. The Board in the U. K. refuses an award to a victim who voluntarily joins a fight where no weapons are used or both parties are armed and makes a reduced award if the applicant was unarmed and the assailant used a weapon or disproportionate violence. With respect, we think that is the right approach.

Legal Costs

The Board has been awarding moderate legal fees to lawyers who represent claimants under the new Act, Section 7 (1) (f) [Section 4 (1) (e) of the old Act] which states:

“(1) Compensation may be awarded for,
 (f) other pecuniary loss resulting from the victim’s injury and any expense that, in the opinion of the Board, it is reasonable to incur.”

Legal Aid is available to applicants at two levels:

- (1) To provide counsel for the actual hearing, and for the preparation of complicated cases, and
- (2) To obtain the services of solicitors in less complex cases, to complete forms and collect supporting material to be submitted with the application for compensation.

Regulations:

Now that the new Act has been passed, regulations will be promulgated in the near future.

Prohibition of the Publication of Evidence

Section 13 (1) of the new Act [Section 12 (1) of the old Act] reads:

“12 (1) The Board may make an order prohibiting the publication of any report or account of the whole or any part of the evidence at a hearing where the Board considers it necessary, but in making an order under this subsection the Board shall have regard to the desirability of permitting the public to be informed of the principles and nature of each case.”

The claims where the Board has restricted the publication of the evidence are listed infra in Appendix “A”. The Board has been careful to use its discretion here sparingly and only in two areas:

- (1) Where the publication of the evidence might seriously affect the reputation and well being of the claimant, for example, a claimant who was raped or indecently assaulted.
- (2) Where the Board concludes that a certain person is guilty of a criminal offence although that person has not been so found in a court of law, it is highly important to prohibit publication of the evidence. While the finding that a person is guilty of a criminal offence under a standard of proof less than beyond a reasonable doubt, and on evidence not admissible in a criminal court, may jar our senses of natural justice, it would be equally unfair to deny compensation to applicants who are injured as victims of crime. Another example of finding a person guilty of a criminal offence in a civil forum is where a board of arbitration in the labour field finds on a balance of probabilities that an employee, not convicted in court, is guilty of stealing, and sustains a discharge action taken by the company.

As already stated, where an order is made under this section, the circulation of the decision is limited to the claimant or his solicitor, to the Treasurer of the Province of Ontario, and to the Attorney General.

ACKNOWLEDGMENT

The undersigned former chairman (C. E. Bennett) who is retiring from the Board has prepared this report and wishes to acknowledge the contributions made by certain people with respect to the intro-

duction and implementation of victims of crime legislation in Ontario.

The person primarily responsible for The Law Enforcement Compensation Act, 1967, and the amending act in 1969, which broadened the Act to compensate victims of crime was the then Minister of Justice and Attorney General of Ontario, The Honourable A. A. Wishart who is now the chairman of the Board. The members and staff of our Board were very pleased indeed to receive the news of Mr. Wishart's appointment as the chairman because of his interest and knowledge of the legislation and the workings of the Board and his reputation as a highly qualified lawyer and administrator and able Attorney General.

It is my understanding that Mr. Wishart was materially assisted in the consideration of and preparation of the legislation by Dr. John Edwards of the University of Toronto, Mr. R. P. Milligan, Q.C., our vice-chairman and chairman of the Ontario Police Commission, Mr. Frank Wilson, Q.C., Assistant Deputy Attorney General, and Mr. A. R. Dick, Q.C., the then Deputy Attorney General and now the Secretary to The Honourable, The Provincial Secretary for Justice. Professor Allen M. Linden by his great interest in us also made a significant contribution to the advancement and implementation of this new legislation.

We thank the members of the Bar, the Police, Legal Aid, Crown Attorneys, Doctors, Dentists, members of the staffs of hospitals, and the Press for their assistance in helping us deal with the applications under the two Acts. The Board and our staff have received a great deal of co-operation from all sides in the handling of our problems under The Law Enforcement Compensation Act, 1967 and The Compensation for Victims of Crime Act, 1971. We appreciate the interest shown by the law faculties in our legislation and in the operation of our Board.

I would like to thank my colleagues on the Board. Each of them played an important role in resolving problems in the young and growing body of law under the two Acts and it was a pleasure and privilege to have been associated with them.

We were fortunate in obtaining the services of Mr. J. B. Lind our Registrar. He is a top flight administrator and has been most successful in his relationship with the public. As chairman, I received many compliments regarding his patience and attention to inquiries from claimants. Mr. Lind has been supported by a competent staff headed by Mr. C. O. Huggard and Mrs. H. McPhee.

CONCLUSION

The undersigned retired chairman, as he bows out as a member of the Board, would like to make these brief observations.

First, the vast majority of our claimants required assistance and the need for this kind of legislation in Ontario's social and economic structure was apparent. Whether it be justified on the basis of social justice or on the legal right of a person to be compensated because of the responsibility of the state to protect its citizens, it is sound and equitable legislation.

To date, we have heard comparatively few frivolous or spurious claims. Undoubtedly a number of our claimants exaggerated the extent of their injuries, but all in all, the members of the Board have been impressed with the credibility of the claimants. However, as you would expect, we have received a small number of crank applications. The Registrar dealt with one insistent character who was paid \$50.00 by X to commit arson. When he was setting fire to the building, the bottle containing the inflammable material which had been given to him by X exploded, inflicting serious burns. He blames X and the Registrar had great difficulty convincing him that the Legislature did not have him in mind for compensation when it passed the statute. The United Kingdom Board denied an application from a housebreaker who was shot and wounded by the owner.

A sobering impression from serving on the Board was the parade of almost unbelievable acts of brutality and cruelty in offences of shooting, assault, stabbing and rape which passed before us during the last three years. These awful crimes of violence stirred all of us to a greater appreciation of the problems facing those engaged in law enforcement in their struggle to combat the alarming increase in Canada of crimes of violence.

All of which is respectfully submitted,

A. A. Wishart,
Chairman

C. E. Bennett,
Member

F. B. Deacon,
Member

A. R. Willmott,
Member

R. C. Rutherford,
Member

V. K. McEwan
Member

APPENDIX A

SUMMARY OF CLAIMS AND DISPOSITION,
MONTHLY SUMMARY OF AWARDS GRANTED,
CONSOLIDATED SUMMARY OF AWARDS,
PERIODIC MONTHLY AND ANNUAL AWARDS
AND
SUMMARY OF DECISIONS

SUMMARY OF CLAIMS AND DISPOSITION

1968

April 1, 1968 to December 31, 1968:

Eligible Applications Received	1
Applications Heard	1

Applications by Area:

Toronto 1

Types of Crime:

Murder 1

1969

January 1, 1969 to December 31, 1969

Eligible Applications Received	72
*Applications Heard	20
Applications Heard — Further Evidence Required	3
Second Hearings	1
† Decisions Completed and Awards Granted	11
Interim Awards	2
‡ Total of Awards Granted	\$20,801.67
Average Award	1,891.06
Hearings Pending	52

Note: * Includes Heard and Further Evidence Required.

† Includes Interim and Supplementary Awards.

‡ Plus Payments shown on Summary "Continuing Monthly and Annual Awards".

Applications by Area:

Toronto 39 Aberfoyle 1 Mississauga 1

Applications by Area:

Toronto 39	Aberfoyle 1	Mississauga 1
Windsor 5	Bobcaygeon 1	Newmarket 1
Hamilton 4	Bracebridge 1	Niagara Falls 1
Kitchener 2	Brantford 1	Preston 1
London 2	Carp 1	Thunder Bay 1
Ottawa 2	Collingwood 1	Wawa 1
Sault Ste. Marie 2	Dunnville 1	
Sudbury 2	Meaford 1	72

Types of Crime:

Assault, bodily harm	24	Assault, bodily harm assisting Police	3
Assault	11	Alleged Police brutality	1
Robbery with violence	8	Assault by motor vehicle	1
Wounding	6	Heart attack — assisting fellow officer	1
Attempted murder	1	Indecent assault	1
Murder	8	Mental shock	1
Stabbing	5	Rape	1

72

1970

January 1, 1970 to December 31, 1970

Eligible applications received	247
* Applications Heard	129
Applications Heard and Dismissed	8
Applications Heard – Further Evidence Required	28
Second Hearings	10
Review of Awards	2
† Decisions Completed and Awards Granted	121
Interim Awards	6
Supplementary Awards	2
Periodic Awards	7
Lump Sum Payments	\$244,463.85
Periodic Payments	1,270.00
Total of Awards Granted	\$245,733.85
‡ Average Award	2,020.04
Hearings Pending	165

Note: * Includes Heard & Dismissed and Heard & Further Evidence Required.

† Includes, Interim, Supplementary and Periodic Awards

‡ Periodic Payments not included when arriving at average award.

Applications by Area:

Toronto	128	Sudbury	2	West Hill	1
Hamilton	11	Waterdown	2	Belle River	1
Windsor	11	Brockville	1	Ingersoll	1
London	7	Peterborough	1	Glen Williams	1
Thunder Bay	5	Orono	1	Aurora	1
Ottawa	4	Reddendale	1	Creemore	1
North Bay	4	Thedford	1	Cobourg	1
Mississauga	4	Jackson's Point	1	Galt	1
Kitchener	3	Long Lac	1	Mt. Albert	1
Warton	3	Preston	1	Rice Lake	1
Mt. Forest	3	St. Thomas	1	Massey	1
Niagara Falls	2	Stoney Creek	1	Stirling	1
St. Catharines	2	Bracebridge	1	Woodstock	1
Sandwich West	2	Dorset	1	Sarnia	1
Carp	2	Kincardine	1	Virgil	1
Minden	2	Mackenzie Stn.	1	Desbarats	1
Kapuskasing	2	Mono Mills	1	Virginia	1
Sault Ste. Marie	2	Bothwell	1	Byron	1
Guelph	2	Bay Ridges	1	Kingston	1
Oshawa	2	Long Sault	1	Meaford	1
Port Colborne	2	Bath	1	Timmins	1
				247	

Types of Crime:

Assault, bodily harm	87	Careless hunting	3
Assault	41	Dangerous use of firearms	2
Robbery with violence	19	Manslaughter	2
Wounding	29	Train derailment (Sabotage)	4
Assault, robbery	8	Arson	1
Murder, N/C	3	Bomb Explosion	1
Attempted murder	5	Indecent assault	3
Murder	16	Harassment	1
Stabbing	12	Thrown object	3
Rape	7	247	

1971

January 1, 1971 to December 31, 1971

Eligible applications received	438
*Applications Heard	204
Applications Heard and Dismissed	12
Applications Heard – Further Evidence Required	13
Second Hearings	10
Review of Awards	3
†Decisions Completed and Awards Granted	196
Interim Awards	3
Supplementary Awards	5
Periodic Awards	11
Lump Sum Payments	\$370,913.70
Periodic Payments	24,642.00
Total of Awards Granted	\$395,555.70
‡Average Award	1,892.42
Hearings Pending	380

Note: * Includes Heard & Dismissed and Heard & Further Evidence Required.

† Includes, Interim, Supplementary and Periodic Awards

‡ Periodic Payments not included when arriving at average award.

Applications by Area:

Toronto	192	Chatham	2	Brantford	1
Windsor	27	Welland	2	Newmarket	1
Sudbury	15	Orillia	2	Palgrove	1
St. Catharines	12	Stayner	2	Winona	1
Hamilton	12	York	1	Inverary	1
Ottawa	10	Dundas	1	Brampton	1
London	10	Winchester	1	Preston	1
Kingston	9	Port Credit	1	Sturgeon Falls	1
Niagara Falls	7	King Township	1	Barrie	1
Thunder Bay	6	Smith's Falls	1	Manitoulin	1
North Bay	6	Erieau	1	Elmira	1
Port Colborne	5	Kakabeka Falls	1	Petersburg	1
Kitchener	5	Springtown	1	Thamesville	1
Timmins	5	Willisville	1	Midland	1
Sault Ste. Marie	4	McGregor	1	Rice Lake	1
Port Hope	3	Mitchell	1	Elliot Lake	1
St. Thomas	3	Acton	1	Peterborough	1
Guelph	3	Burlington	1	Iroquois Falls	1
Mississauga	3	Warsaw	1	Dunnville	1
Oshawa	3	Tilbury	1	Hammond	1
Stoney Creek	3	Chesley	1	Gravenhurst	1
Belleville	2	Blenheim	1	Carp	1
Cayuga	2	Atikokan	1	Lucan	1
Oakville	2	Oakwood	1	Norwood	1
Cornwall	2	Aurora	1	Huntsville	1
Stratford	2	Sandwich S.	1	Rockland	1
Sarnia	2	Clarkson	1	Lake Simcoe	1
Odessa	2	Northbrook	1	Mountain	1
Dryden	2	Fort Frances	1	Lakefield	1
Kapuskasing	2	Shannonville	1	Chaput Hughes	1
Georgetown	2	Waterloo	1	Spanish	1
Richmond Hill	2	Little Current	1	Balm Beach	1
Oshweken	2	Owen Sound	1	Bayfield	1
				Southampton	1
					438

Types of Crime:

Assault, bodily harm	163
Assault	114
Wounding	53
Assault, robbery	21
N/C Murder	15
Attempt murder	12
Murder	10
Manslaughter	8
Robbery with violence	5
Sabotage (train derailment)	5
Attempt rape	4
Rape	3
Careless hunting	3
Criminal negligence	3

Stabbing	2
Mental Shock	2
Arson	2
Assault (motor vehicle)	2
Harrassment	1
Armed robbery	1
Unlawful disch. firearm	1
Bomb blast	1
Construction incident	1
Attempt robbery	1
Bomb threat	1
Dangerous nav. of water vessel	1
Thrown object	1
Indecent assault	1
Neg. operation of a motor vehicle ..	1
	<u>438</u>

MONTHLY SUMMARY AWARDS GRANTED

Jan. 1/71 to Dec. 31/71

Case Number	Application Received	Crime	Date of Award*	Classification of Crime	Medical Expenses	Loss of Earnings	Pecuniary Loss to Relatives of Deceased Victims	Pain & Suffering	Funeral and Burial Expenses	Other Pecun'y Loss	Counsel Fees & Other Legal Costs	Total Award
JANUARY/71												
100-5	Aug. 13/69	Jun. 4/69	Jan. 27/71	Wounding		1,790.40		1,200.00		50.00		3,040.40
100-6	Jul. 14/69	Dec. 25/68	Jan. 6/71	N/C Murd.					2,963.68		200.00	3,163.68
100-14	Sep. 5/69	Nov. 23/68	Jan. 29/71	N/C Murd.			4,410.00			150.00	400.00	4,960.00 ¹
100-27	Aug. 20/69	Feb. 16/69	Jan. 27/71	ABH	343.75			2,500.00		349.40	350.00	3,543.15 ²
100-58	Dec. 4/69	Jun. 14/69	Jan. 4/71	Rape	245.24	500.00		2,000.00			313.75	3,058.99
100-72	Nov. 19/69	May 1/69	Jan. 27/71	ABH	25.00			2,000.00		110.00		2,135.00
100-117	Feb. 23/70	Oct. 31/69	Jan. 7/71	ABH	735.70			5,000.00		30.49	350.00	6,116.19
100-146	Apr. 20/70	May 17/69	Jan. 7/71	Assault	179.32			600.00		15.00	125.00	919.32
100-161	May 20/70	May 9/70	Jan. 7/71	ABH	6.00	60.00		75.00				141.00
100-170	Jun. 1/70	Jul. 23/69	Jan. 7/71	ABH	134.50			750.00			175.00	884.50
100-183	Jun. 15/70	Feb. 19/70	Jan. 11/71	Murder			3,000.00					3,175.00
100-201	Jul. 6/70	Jan. 9/70	Jan. 13/71	ABH	65.50	200.00		200.00				465.50
100-242	Sep. 11/70	Jul. 17/70	Jan. 13/71	ABH	232.00	43.80		300.00		24.56		600.36
100-272	Oct. 23/70	May 11/70	Jan. 27/71	ABH	205.60	352.80		2,500.00			250.00	3,308.40
100-278	Oct. 28/70	Mar. 2/69	Jan. 13/71	Wounding	40.00	512.98		2,000.00		61.30	200.00	2,814.28
					2,212.61	3,459.98	7,410.00	19,125.00	2,963.68	790.75	2,363.75	38,325.77
FEBRUARY/71												
100-60	Sep. 18/69	Mar. 31/69	Feb. 3/71	Assault	149.70	713.00		2,000.00		50.00	225.00	3,137.70
100-71	May 6/70	Sep. 18/69	Feb. 3/71	ABH		932.68		800.00		50.00		1,782.68
100-96	Dec. 17/69	Dec. 15/68	Feb. 3/71	ABH		64.00		600.00		103.00		767.00
100-113	Feb. 20/70	Feb. 22/69	Feb. 24/71	Wounding		480.00		2,000.00			175.00	2,655.00
100-217	Jul. 30/70	Jun. 13/70	Feb. 3/71	Assault	135.00	659.72		1,500.00		49.00	250.00	2,593.72
100-221	Aug. 6/70	Jul. 25/70	Feb. 3/71	Assault	155.00	24.00		200.00		6.00		385.00
100-342	Dec. 31/70	Apr. 27/70	Feb. 19/71	ABH	17.20			500.00		28.00	100.00	645.20
					456.90	2,873.40		7,600.00		286.00	750.00	11,966.30

MARCH/71

100-70	Feb.11/70	Apr.29/69	Mar.3/71	Sabotage	155.75	1,927.44	1,500.00	332.75	280.00	4,195.94
100-85	Sep.25/70	Oct.30/69	Mar.2/71	Assault			500.00	5.60		505.60
100-100	Sep.16/70	Dec.24/69	Mar.24/71	ABH	7.00	3,500.00	2,000.00	92.00	310.00	5,909.00
100-127	Mar.13/70	Jun.15/69	Mar.2/71	Wounding	157.33	2,440.00	3,000.00		350.00	5,947.33 ³
100-186	Jun.18/70	Dec.23/68	Mar.2/71	Robbery w/v	52.00	431.00	1,000.00			1,483.00
100-196	Jun.18/70	Dec.23/68	Mar.3/71	Robbery w/v	187.40	925.25	1,200.00			2,312.65
100-202	Jul.6/70	Jul.4/70	Mar.2/71	Aslt.Rob.	27.00		500.00	7.00		534.00
100-205	Jul.13/70	Apr.26/70	Mar.25/71	N/C Murd.				605.00	160.00	765.00 ⁴
100-206	Jul.13/70	Mar.22/69	Mar.31/71	Assault	155.20		3,000.00			3,155.20
100-243	Nov.16/70	Apr.19/69	Mar.24/71	Wounding	223.50		1,750.00	78.00	175.00	2,226.50
100-244	Sep.15/70	Jul.11/69	Mar.24/71	Atmpt.Murd.		4,000.00	6,000.00			10,000.00 ⁵
100-255	Sep.17/70	Oct.31/69	Mar.24/71	Robbery w/v	80.61	1,155.00	1,500.00	95.00	250.00	3,080.61
100-262	Sep.25/70	May 2/70	Mar.4/71	ABH	214.75		700.00		125.00	1,039.75
100-275	Oct.23/70	Feb.12/70	Mar.24/71	Assault	1,003.61		600.00		125.00	1,728.61
100-283	Nov.3/70	Sep.7/70	Mar.2/71	Assault	9.00		400.00	24.00		433.00
100-284	Nov.3/70	Sep.7/70	Mar.2/71	Assault			100.00	6.00		106.00
100-295	Jan.8/71	Mar.15/70	Mar.31/71	ABH	722.00	285.00	500.00		175.00	1,682.00
100-307	Nov.16/70	May 28/69	Mar.31/71	Aslt.Rob.			360.00			360.00 ⁶
100-310	Nov.23/70	Feb.17/70	Mar.31/71	ABH	138.23		5,000.00		300.00	5,438.23
100-314	Nov.24/70	Jan.22/70	Mar. 25/71	Assult			200.00	48.00	40.00	288.00
100-346	Jan.5/71	May 14/70	Mar.18/71	ABH			250.00	12.50		262.50
100-368	Feb.1/71	Aug.25/70	Mar.25/71	Wounding			700.00	20.00	100.00	820.00
					3,133.38	14,663.69	30,760.00	1,325.85	2,390.00	52,272.92

APRIL/71

100-22	Apr.27/70	May 10/69	Apr.2/71	ABH	89.95	286.00	900.00	140.00	175.00	1,590.95
100-36	Jan.19/70	Jul.26/69	Apr.22/71	ABH	395.00	240.00	5,000.00	431.00	250.00	6,316.00
100-41	Aug.27/69	May 14/69	Apr.22/71	ABH	109.50		500.00	25.00		634.50
100-101	Jan.16/70	Jan.5/70	Apr.22/71	Assault	16.25	330.00	200.00	14.00		560.25
100-112	Feb.20/70	Feb.22/69	Apr.1/71	Wounding			1,500.00		125.00	1,625.00
100-163	May 19/70	Feb.28/70	Apr.28/71	N/C Murd.	14.12	3,992.60	500.00	320.00		4,826.72 ²
100-165	May 22/70	Nov.2/69	Apr.22/71	N/C Murd.				40.00	225.00	1,965.00 ⁷
100-174	Apr.10/70	Jan.13/70	Apr.22/71	ABH		900.00	750.00	100.00		1,750.00 ²
100-246	Sep.15/70	Sep.15/68	Apr.28/71	ABH	477.47	1,837.00	900.00	20.00	275.00	3,509.47
100-257	Sep.21/70	Nov.2/69	Apr.19/71	ABH		444.39	200.00			644.39
100-271	Oct.22/70	Oct.6/70	Apr.19/71	Aslt.Rob.			200.00			200.00
100-273	Nov.4/70	Oct.1/70	Apr.22/71	Wounding	149.00		500.00			649.00
100-276	Oct.30/70	Feb.22/70	Apr.22/71	Aslt.Rob.	290.00		5,000.00	50.00	200.00	5,540.00

MONTHLY SUMMARY AWARDS GRANTED

Jan. 1/71 to Dec. 31/71

Case Number	Application Received	Crime	Date of Award*	Classification of Crime	Medical Expenses	Loss of Earnings	Pecuniary Loss to Relatives of Deceased Victims	Pain & Suffering	Funeral and Burial Expenses	Other Pecun'y Loss	Counsel Fees & Other Legal Costs	Total Award
APRIL/71 - cont'd												
100-287	Nov. 9/70	May 24/70	Apr. 22/71	Aslt. Rob.	5.00	512.14		1,000.00		107.75	125.00	1,749.89
100-292	Nov. 4/70	Sep. 25/70	Apr. 29/71	Assault	23.50	500.00		250.00		7.50		781.00
100-294	Nov. 12/70	Nov. 29/69	Apr. 2/71	Rape	308.67	2,250.00		2,500.00		15.00	200.00	5,273.67
100-296	Nov. 10/70	Aug. 8/70	Apr. 22/71	Assault	25.00	20.00		300.00		70.00		415.00
100-312	Nov. 20/70	Sep. 11/70	Apr. 15/71	ABH	635.90			400.00				1,035.90
100-329	Dec. 14/70	Dec. 20/69	Apr. 16/71	Assault	87.00	1,200.00		4,500.00			175.00	5,962.00 ⁸
100-331	Dec. 1/70	Sep. 22/70	Apr. 29/71	Atmpt. Murd.				4,500.00		144.00		4,644.00
100-335	Dec. 15/70	Dec. 30/69	Apr. 22/71	Wounding	256.09	3,017.91					350.00	3,624.00 ⁹
100-340	Dec. 31/70	Nov. 1/70	Apr. 19/71	ABH	139.90	276.00		450.00			100.00	965.90
100-352	Jan. 13/71	Jul. 27/70	Apr. 1/71	Manslaught.			750.00					750.00
					3,022.35	15,806.04	2,450.00	30,050.00		1,484.25	2,200.00	55,012.64
MAY/71												
100-89	Jul. 28/70	Nov. 19/68	May 12/71	Stabbing				1,200.00			100.00	1,300.00
100-92	Dec. 1/69	Oct. 15/69	May 12/71	ABH		364.00		400.00				764.00
100-171	June 4/70	Mar. 10/70	May 27/71	ABH				750.00		92.00		842.00
100-194	Jun. 24/70	Jul. 13/69	May 12/71	ABH	23.30	160.00		750.00		239.00	125.00	1,297.30
100-270	Oct. 20/70	Jul. 28/70	May 17/71	Assault	86.25			200.00			40.00	326.25
100-276	Oct. 30/70	Feb. 22/70	May 19/71	Aslt. Rob.	50.00							50.00 ⁴
100-285	Nov. 3/70	Jul. 28/70	May 6/71	Assault	29.00	250.00		300.00		16.50	60.00	655.50
100-289	Nov. 6/70	Jul. 22/69	May 19/71	ABH	35.00	406.65		250.00		10.00	75.00	776.65
100-290	Nov. 6/70	Dec. 15/69	May 12/71	Robbery w/v				3,000.00		110.00	300.00	3,610.96
100-313	Nov. 23/70	Nov. 5/70	May 20/71	Assault	200.96	30.00		75.00		41.75		146.75
100-317	Nov. 25/70	May 2/70	May 12/71	ABH		627.70		225.00			75.00	927.70
100-358	Jan. 21/71	Mar. 21/70	May 12/71	Aslt. Rob.		3,676.20		500.00		45.00	315.00	4,536.20
100-363	Jan. 23/71	Feb. 24/70	May 6/71	ABH	279.05	56.31		500.00		71.20	100.00	1,006.56
100-398	Feb. 18/71	Jan. 22/68	May 12/71	ABH	696.14	515.98		750.00		50.00	200.00	2,212.12
100-413	Mar. 8/71	Nov. 7/70	May 27/71	Assault				25.00				25.00
					1,399.70	6,086.84		8,925.00		675.45	1,390.00	18,476.99

JUNE/71	Jul.17/70	Sep.17/68	Jun.21/71	N/C Murd.	11.85	130.00	100.00	125.00	350.00	475.00 ^{1,0}
100-209	Jul.17/70	Sep.17/68	Jun.21/71	ABH	11.85	130.00	100.00	7.45		249.30
100-245	Sep.15/70	Mar.14/70	Jun.8/71	Wounding	19.50	500.00	300.00	35.00	75.00	929.50
100-250	Sep.15/70	Apr.15/70	Jun.25/71	ABH	95.00	909.41	1,500.00		225.00	2,729.41
100-269	Oct.16/70	Feb.17/69	Jun.8/71	Atmpt.Rape		89.83	1,000.00	53.00		1,142.83
100-274	Oct.26/70	Oct.17/70	Jun.17/71	Assault		50.00	500.00	20.00	60.00	630.00
100-288	Nov.6/70	Jun.2/69	Jun.8/71	Wounding		3,632.47		406.02	250.00	4,288.49 ^{1,1}
100-291	Nov.4/70	May 3/70	Jun.22/71	C'less Hunt.	124.77		2,500.00	118.95	319.00	3,062.72
100-308	Nov.4/70	Nov.15/69	Jun.17/71	Wounding	12.60	491.44	500.00			1,004.04
100-316	Nov.27/70	Aug.1/70	Jun.22/71	ABH	265.00	887.71	4,000.00	145.00	175.00	5,327.71
100-333	Dec.2/70	Dec.21/68	Jun.4/71	Wounding		1,700.00		17.00	300.00	2,145.00 ^{1,2}
100-345	Dec.30/70	Aug.31/68	Jun.21/71	ABH			500.00	54.70	30.00	617.00
100-351	Jan.14/71	Jun.18/70	Jun.1/71	ABH			250.00	30.00	280.00	1,867.95
100-369	Dec.11/70	Aug.1/70	Jun.29/71	Sabotage	41.00	516.95	1,000.00	30.00	200.00	6,423.75
100-375	Mar.10/71	Apr.20/69	Jun.22/71	Wounding	1,223.75		5,000.00	82.20	175.00	1,456.90
100-382	Feb.3/71	Oct.13/70	Jun.4/71	ABH	361.90	87.80	750.00	59.00	80.00	908.69
100-384	Feb.3/71	Mar.3/70	Jun.30/71	ABH	26.55	143.14	600.00	37.00	75.00	917.78
100-396	Feb.15/71	Jan.16/71	Jun.29/71	Atmpt.Murd.	55.78	388.34	750.00	54.00	50.00	538.34
100-403	Apr.28/71	Oct.26/70	Jun.17/71	ABH	2.00		500.00			556.00
100-408	Mar.4/71	Mar.5/70	Jun.17/71	Atmpt.Rape						
100-421	Mar.12/71	Jul.24/70	Jun.3/71							
					2,239.70	9,527.09	19,850.00	1,244.32	2,744.00	35,605.11

JULY/Y71
100-13 Aug.15/69 Assault Jul.9/71 260.00 1,800.00 2,000.00 1,290.00 5,350.00 ¹³
100-47 Sep.2/69 ABH Jul.7/71 300.00 300.00
100-140 Apr.10/70 ABH Jul.2/71 313.11 260.00 1,000.00 250.00 1,823.11 ²
100-158 May 6/70 Arson Jul.2/71 240.00 400.00 215.50 225.00 840.50
100-189 Jun.16/70 Murder Jul.23/71 17.50 1,200.00 500.00 65.00 480.00 ¹⁴
100-223 Aug.10/70 Wounding Jul.2/71 72.00 Bomb Blast 75.00 15.00 1,492.50
100-235 Sep.2/70 ABH Jul.2/71 75.00 8,887.00 750.00 59.00 587.00
100-249 Sep.15/70 Manslaughter Jul.9/71 554.00 500.00 900.00 ¹⁵
100-297 Nov.12/70 ABH Jul.9/71 2,000.00 60.00 10,000.00
100-377 Feb.3/71 ABH Jul.6/71 362.43 200.00 2,260.00
100-410 Mar.4/71 ABH Oct.28/70 192.00 750.00 628.03
100-415 Mar.9/71 Rape Jul.7/71 146.00 799.15 1,088.00
100-447 Mar.30/71 Assault Jul.9/71 42.50 780.11 4,214.43 8,887.00 7,750.00 2,805.25 1,850.00 26,840.79

MONTHLY SUMMARY AWARDS GRANTED

Jan. 1/71 to Dec. 31/71

Case Number	Application Received	Crime	Date of Award*	Classification of Crime	Medical Expenses	Loss of Earnings	Pecuniary Loss to Relatives of Deceased Victims	Pain & Suffering	Funeral and Burial Expenses	Other Pecun'y Loss	Counsel Fees & Other Legal Costs	Total Award
AUGUST/71												
100-139	Feb. 20/70	Dec. 6/69	Aug. 2/71	Murd.							225.00	225.00 ⁴
100-187	Jun. 17/70	Jul. 25/69	Aug. 2/71	Assault	402.52	161.28		750.00		106.00	225.00	1,644.80
100-241	Sep. 10/70	Mar. 28/69	Aug. 17/71	Wounding	273.00	750.00		1,000.00		272.00	200.00	2,495.00
100-265	Sep. 28/70	Oct. 6/69	Aug. 18/71	Re. Explosive	383.20						175.00	558.20
100-268	Oct. 19/70	Apr. 28/69	Aug. 18/71	Rape	41.00	692.00		1,000.00		81.11	175.00	1,989.11
100-277	Oct. 30/70	Nov. 8/69	Aug. 18/71	C'less Hunt.	100.00	3,430.00		2,500.00			300.00	6,330.00
100-325	Dec. 8/70	Dec. 11/69	Aug. 8/71	Wounding	361.95	480.00		2,500.00		840.55	300.00	4,482.50
100-330	Dec. 11/70	Jun. 14/69	Aug. 18/71	Asslt. Rob.	25.00	173.89		200.00		25.00	300.00	423.89
100-348	Jan. 6/71	Oct. 31/70	Aug. 26/71	Assault	84.75	20.00		100.00		25.00		229.75
100-371	Jan. 19/71	Feb. 20/70	Aug. 2/71	Assault	68.65			250.00		65.00	75.00	458.65
100-376	Feb. 4/71	Aug. 21/70	Aug. 18/71	ABH	20.00	10.00		500.00		20.00	60.00	610.00
100-388	Feb. 15/71	Apr. 8/70	Aug. 25/71	Arm. Robb.		300.00		250.00		19.00		569.00
100-391	Feb. 16/71	Feb. 16/70	Aug. 18/71	M/Slaughter	25.00		1,257.88		974.39		250.00	2,507.27
100-433	Mar. 22/71	Aug. 22/70	Aug. 26/71	ABH		755.40		250.00				1,005.40
					1,785.07	6,772.57	1,257.88	9,300.00	974.39	1,453.66	1,985.00	23,528.57
SEPTEMBER/71												
100-152	Apr. 30/70	Mar. 1/70	Sept. 29/71	ABH	145.00			500.00		50.00		695.00
100-267	Oct. 13/70	Apr. 20/70	Sept. 9/71	ABH	1,424.45	2,284.00				28.00	250.00	3,986.45
100-319	Nov. 24/70	Oct. 20/70	Sept. 29/71	ABH	5.00	1,200.00		300.00				1,505.00
100-325	Dec. 8/70	Dec. 11/69	Sept. 29/71	Wounding		1,500.00						1,500.00 ⁴
100-404	Feb. 23/71	Jan. 16/71	Sept. 29/71	Assault		20.00		125.00				145.00
100-405	Feb. 25/71	Mar. 15/70	Sept. 9/71	ABH	281.00	2,440.50		3,000.00		52.00	290.00	6,063.50
100-407	Feb. 20/71	Dec. 5/70	Sept. 14/71	ABH	48.45	740.15		275.00		74.00	250.00	1,387.60
100-434	Mar. 22/71	Aug. 25/70	Sept. 14/71	ABH	64.59	30.00		200.00		141.00	75.00	510.59
100-437	Mar. 19/71	Sept. 18/70	Sept. 29/71	ABH	230.80	1,700.00		2,500.00			465.00	4,895.80
100-506	May 14/71	May 16/70	Sept. 13/71	Wounding				1,800.00		900.00	400.00	3,100.00 ^{1 6}
					2,199.29	9,914.65		8,700.00		1,245.00	1,730.00	23,788.94

OCTOBER/71									
100-293	Nov.12/70	Apr.11/70	Oct.28/71	Wounding	239.96	500.00	11.00	750.96	
100-326	Dec.29/70	Dec.30/69	Oct.29/71	Carless Hunt.		7,500.00	184.00	8,034.00	
100-374	Feb.4/71	Apr.29/70	Oct.28/71	Assault	258.30	750.00	75.10	1,443.40	
100-406	Feb.24/71	Nov.12/70	Oct.28/71	ABH	86.70	5,000.00	35.00	6,332.20 ^{1 7}	
100-409	Mar.4/71	Dec.1/70	Oct.28/71	Wounding	65.30	1,500.00	43.00	1,600.30	
100-420	Mar.10/71	Jul.2/70	Oct.28/71	ABH	131.50	200.00	168.00	692.50	
100-426	Mar.12/71	Oct.23/70	Oct.28/71	ABH	20.70	300.00	11.50	1,020.70	
100-427	Mar.12/71	Oct.23/70	Oct.28/71	Assault	5.50			17.00 ^{1 8}	
100-430	Mar.22/71	Dec.30/70	Oct.14/71	ABH		150.00	40.00	150.00	
100-449	Apr.5/71	Jan.4/70	Oct.14/71	Aslt. Robb.	1,200.00	500.00	200.00	1,940.00	
100-451	Apr.5/71	Jan.30/70	Oct.14/71	Assault	278.64	150.00	81.40	550.04	
100-463	Apr.8/71	Apr.25/70	Oct.14/71	Assault	35.00	300.00	37.50	412.50	
100-471	Apr.18/71	Apr.3/71	Oct.28/71	Assault	13.78	400.00	49.50	737.54	
100-583	Jul.5/71	Jun.5/71	Oct.29/71	ABH	129.90	200.00		329.90	
					746.68	3,562.86	568.00	1,683.50	24,011.04
NOVEMBER/71									
100-20	Sep.4/69	Mar.25/69	Nov.22/71	Ind.Ass.		750.00		825.00	
100-149	Apr.23/70	Dec.6/69	Nov.23/71	ABH	20.00	200.00	100.00	320.00	
100-321	Dec.3/70	Aug.23/70	Nov.15/71	Ass.Robb.	121.80	400.00		995.80	
100-357	Jan.22/71	Oct.31/70	Nov.22/71	ABH	15.00	150.00		665.00	
100-362	Jan.20/71	Mar.16/70	Nov.1/71	ABH	63.00	750.00	5.00	991.00	
100-372	Jan.19/71	Sep.21/70	Nov.8/71	ABH		200.00		240.00	
100-379	Feb.5/71	Jul.4/70	Nov.22/71	Assault	74.39	150.00	27.00	276.39	
100-390	Feb.16/71	Mar.20/70	Nov.24/71	Assault	25.00	500.00		800.00	
100-402	Feb.19/71	Nov.7/70	Nov.17/71	Careless Ht.		2,000.00		2,000.00 ^{1 1}	
100-452	Mar.31/71	Mar.14/70	Nov.26/71	ABH	363.01	2,700.00	251.30	4,004.71	
100-469	Aor.19/71	Oct.28/70	Nov.1/71	Assault	463.05	400.00	34.00	1,129.45	
100-517	May 18/71	Jun.20/70	Nov.1/71	ABH	449.75	500.00	15.00	1,466.06	
100-566	Jun.29/71	Aug.31/70	Nov.22/71	ABH	15.00	500.00	35.00	2,622.82	
100-610	Jul.26/71	Jan.16/71	Nov.26/71	ABH	90.30	750.00	259.50	1,174.80	
					1,680.30	3,634.03	726.80	1,519.90	17,511.03

MONTHLY SUMMARY AWARDS GRANTED
Jan. 1/71 to Dec. 31/71

Case Number	Application Received	Crime	Date of Award*	Classification of Crime	Medical Expenses	Loss of Earnings	Pecuniary Loss to Relatives of Deceased Victims	Pain & Suffering	Funeral and Burial Expenses	Other Pecun'y Loss	Counsel Fees & Other Legal Costs	Total Award
DECEMBER/71												
100-236	Sep.4/70	Jan.29/70	Nov.29/71	ABH	27.30	100.00		300.00				427.30
100-239	Sep.8/70	Sep.8/69	Nov.22/71	Assault	44.79	35.00		200.00		31.00	115.00	425.79
100-256	Jan.18/71	Mar.17/70	Dec.14/71	ABH	542.75			2,000.00			295.00	2,837.75
100-267	Oct.13/70	Apr.20/70	Dec.8/71	ABH	125.00							125.00 ⁴
100-282	Nov.2/70	Aug.11/69	Dec.6/71	ABH	152.25	56.79		200.00				409.04
100-286	Nov.17/70	Nov.19/69	Dec.8/71	ABH	347.57					1,870.00	1,000.00	3,217.57 ^{1 1}
100-306	Nov.18/70	Nov.24/69	Dec.3/71	Rape	190.15			2,500.00		21.30	200.00	2,911.45
100-364	Jan.28/71	Feb.28/70	Dec.21/71	ABH	52.93			2,500.00		215.00	345.00	3,112.93
100-365	Jan.28/71	Feb.28/70	Dec.21/71	ABH	21.00	76.50		700.00		130.60	75.00	1,003.10
100-366	Jan.27/71	Dec.8/70	Nov.29/71	Att.Murder	25.00			2,000.00		67.00	250.00	2,342.00
100-367	Apr.23/71	Aug.20/70	Dec.14/71	Assault	27.00	203.73		200.00			60.00	490.73
100-399	Feb.18/70	Jul.2/68	Dec.14/71	Wounding	461.00	4,476.50		4,442.50			620.00	10,000.00 ^{1 9}
100-412	Mar.8/71	Oct.28/70	Dec.14/71	Wounding	39.85	9.80		1,500.00		50.00	50.00	1,599.65
100-422	Mar.11/71	Oct.4/70	Dec.8/71	ABH	5.00			400.00				455.00
100-423	Mar.11/71	Apr.1/70	Dec.8/71	Asslt.Robb.	96.00			200.00		50.50		346.50
100-439	Mar.25/71	Jan.15/71	Dec.29/71	Wounding	192.20	1,426.00					240.00	1,858.20
100-444	Mar.29/71	Apr.20/70	Dec.8/71	Robb. w/v	5.00			400.00		25.00	95.00	525.00
100-458	Apr.6/71	Jul.16/69	Dec.8/71	ABH	30.00	30.00		150.00			40.00	250.00
100-462	Apr.13/71	Jul.25/70	Dec.29/71	Manslaught.			2,520.00					2,520.00 ^{2 0}
100-482	Apr.21/71	Jul.2/70	Dec.8/71	ABH	235.00			600.00			75.00	910.00
100-483	Apr.22/71	Aug.28/70	Nov.22/71	Asslt.Robb.	40.00	225.00		250.00			75.00	590.00
100-484	Nov.22/71	Apr.26/70	Nov.22/71	N/C Murd.					193.22	652.50	108.60	954.32
100-494	May 7/71	Sep.16/70	Dec.29/71	Assault	512.10			250.00		114.00	100.00	976.10
100-501	May 6/71	Sep.20/69	Dec.14/71	ABH		827.64		1,000.00			256.00	2,083.64
100-520	May 19/71	Jun.8/70	Dec.8/71	ABH	28.00	139.46		250.00			50.00	467.46
100-552	Jun.17/71	May 12/71	Dec.15/71	Murder			1,582.75			37.00		1,582.75 ^{2 1}
100-554	Jun.17/71	Jan.7/69	Dec.29/71	Asslt.Robb.	97.32			350.00				484.32
100-616	Aug.4/71	Sep.18/70	Dec.14/71	ABH				100.00				100.00
100-671	Sep.20/71	Sep.30/68	Nov.22/71	Murder					528.00		40.00	568.00
					3,297.21	7,606.42	4,102.75	20,492.50	721.22	3,263.90	4,089.60	43,573.60

N O T E S

1. Represents arrears of monthly payments from November 23/68 to March 22/71. To continue at \$270.00 per month effective March 23/71.
2. Final Award. Interim previously granted.
3. The total of \$5,947.33 is to be paid in 14 consecutive monthly payments of \$400.00 and a final payment of \$347.33 effective February 1/71.
4. Supplementary Award re further submission.
5. Represents arrears of monthly payments from July 10/69 to April 9/71. To continue at \$500.00 per month effective April 10/71.
6. The total of \$360.00 is to be paid in 12 consecutive monthly payments of \$30.00 effective May 1/71.
7. Represents arrears of monthly payments from December 1/69 to April 30/71. To continue at \$100.00 per month effective May 1/71.
8. The total \$5,962.00 is to be paid by a lump sum of \$1,962.00 and \$200.00 per month effective May 1/71 for 20 consecutive months.
9. Represents arrears of monthly payments from January 1/70 to May 31/71. To continue at \$300.00 per month effective June 1/71.
10. Represents arrears of monthly payments from June 1/71 to June 30/71. To continue at \$200.00 per month effective July 1/71.
11. Interim award. Further evidence required.
12. Represents arrears of monthly payments from October 1/68 to June 30/71. To continue at \$175.00 per month effective July 1/71.
13. Represents arrears of monthly payments from April 16/68 to September 30/71. To continue at \$50.00 per month effective October 1/71.
14. Further payments April 1/72 \$158.00; April 1/73 \$158.00; April 1/74 \$233.00; October 1/74 \$380.00; April 1/75 \$380.00; and thereafter at \$96.00 per month effective May 1/76.
15. The total of \$900.00 is to be paid by a lump sum of \$300.00 and \$100.00 per month effective September 1/71 for 6 consecutive months.
16. Represents arrears of monthly payments from May 16, 1970 to August 31, 1971. To continue at \$400.00 per month effective Sept. 1/71.
17. The total \$6,332.20 is to be paid by a lump sum of \$3,612.20 and a final payment of \$2,720.00 on November 1, 1972.
18. Awarded in conjunction with 100-426.
19. The total \$10,000.00 is to be paid by a lump sum of \$4,081.00 and the balance as follows: \$3,000.00 Nov. 1/72; \$2,919.00 Nov. 1/73.
20. Represents arrears of monthly payments from Aug. 1/70 to Jan. 31/72. To continue at \$140.00 per month effective Feb. 1/72.
21. Represents arrears of monthly payments from May 15/71 to Jan. 31/72. To continue at \$295.00 per month effective Feb. 1/72.

* Under the heading "Date of Award" in the "Monthly Summary of Awards Granted," those awards dated the previous month have had to be held over due to the waiting period, in accordance with Section 10(1) of The Compensation for Victims of Crime Act, 1971.

CONSOLIDATED
January 1, 1971 to

Month	No. of Awards	Medical Expenses	Loss of Earnings	Pecuniary Loss to Relatives of Deceased Victims
JANUARY	15	2,212.61	3,459.98	7,410.00
FEBRUARY	7	456.90	2,873.40	
MARCH	22	3,133.38	14,663.69	
APRIL	23	3,022.35	15,806.04	2,450.00
MAY	15	1,399.70	6,086.84	
JUNE	20	2,239.70	9,527.09	
JULY	13	780.11	4,214.43	8,887.00
AUGUST	14	1,785.07	6,772.57	1,257.88
SEPTEMBER	10	2,199.29	9,914.65	
OCTOBER	14	746.68	3,562.86	
NOVEMBER	14	1,680.30	3,634.03	2,000.00
DECEMBER	29	3,297.21	7,606.42	4,102.75
	196	22,953.30	88,122.00	26,107.63
		6.20%	23.75%	7.05%

PERIODIC MONTHLY AND

Case Number	Date of Award	Effective Date	January	February	March	April
(Yearly)						
100-1	May 25/70	April 26/71			100.00 (annual)	
100-56	Sept. 2/70	Jan. 1/71	76.00	76.00	76.00	76.00
100-120	Oct. 28/70	Dec. 1/70	150.00	150.00	150.00	150.00
100-263	Dec. 22/70	Jan. 3/71	50.00	50.00	50.00	50.00
100-148	Dec. 28/70	May. 1/70	115.00	115.00	115.00	115.00
100-173	Dec. 28/70	Dec. 1/70	200.00	200.00	200.00	200.00
100-205	Dec. 28/70	Jan. 1/71	300.00	300.00	300.00	300.00
100-14	Jan. 29/71	Mar. 23/71			270.00	270.00
100-244	Mar. 24/71	Apr. 10/71				500.00
100-165	Apr. 22/71	May 1/71				
100-335	Apr. 22/71	June 1/71				
100-345	June 21/71	July 1/71				
100-209	June 21/71	July 1/71				
100-13	July 2/71	Oct. 1/71				
100-506	Sept. 14/71	Sept. 1/71				
	Monthly totals		891.00	891.00	1,161.00	1,761.00
	Cumulative totals			1,782.00	2,943.00	4,704.00

SUMMARY OF AWARDS

December 31, 1971

Pain and Suffering	Funeral and Burial Expenses	Other Pecuniary Loss	Counsel Fees and Other Legal Fees	Total Awards
19,125.00	2,963.68	790.75	2,363.75	38,325.77
7,600.00		286.00	750.00	11,966.30
30,760.00		1,325.85	2,390.00	52,272.92
30,050.00		1,484.25	2,200.00	55,012.64
8,925.00		675.45	1,390.00	18,476.99
19,850.00		1,244.32	2,744.00	35,605.11
7,750.00	554.00	2,805.25	1,850.00	26,840.79
9,300.00	974.39	1,453.66	1,985.00	23,528.57
8,700.00		1,245.00	1,730.00	23,788.94
17,450.00		568.00	1,683.50	24,011.04
7,950.00		726.80	1,519.90	17,511.03
20,492.50	721.22	3,263.90	4,089.60	43,573.60
187,952.50	5,213.29	15,869.23	24,695.75	370,913.70
50.70%	1.40%	4.30%	6.60%	100%

ANNUAL AWARDS – 1971

May	June	July	August	September	October	November	December
76.00	76.00	76.00	76.00	76.00	76.00	76.00	76.00
150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00
50.00	50.00	50.00	(deceased – July 11, 1971)				
115.00	115.00	115.00	115.00	115.00	115.00	115.00	115.00
200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00
300.00	300.00	300.00	300.00	300.00	300.00	300.00	300.00
270.00	270.00	270.00	270.00	270.00	270.00	270.00	270.00
500.00	500.00	500.00	500.00	500.00	500.00	500.00	500.00
100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
	300.00	300.00	300.00	300.00	300.00	300.00	300.00
		175.00	175.00	175.00	175.00	175.00	175.00
		200.00	200.00	200.00	200.00	200.00	200.00
				400.00	400.00	400.00	400.00
1,761.00	2,061.00	2,436.00	2,386.00	2,786.00	2,836.00	2,836.00	2,836.00
6,465.00	8,526.00	10,962.00	13,348.00	16,134.00	18,970.00	21,806.00	24,642.00

SUMMARY OF DECISIONS

January 1, 1971 to December 31, 1971

Application Number 100-5

The victim, age 51, was stabbed three times while investigating two youths loitering near a parked car outside his home in Hamilton. The offenders were each sentenced to two years less a day determinate and six months indeterminate. Award \$3,040.40.

Application Number 100-6

The victims, a mother and her two daughters, were shot and killed in their Toronto home by the husband of one of the daughters. The offender was charged with non-capital murder, found not guilty by reason of insanity and was ordered to be detained to await the pleasure of the Lieutenant Governor. Award \$3,163.68 to the applicant, husband and father of the victims.

Application Number 100-13

The victim, a 77 year-old female, sustained a fracture of the right hip which caused permanent disability when she surprised an intruder when entering her home in Kitchener. The offender was unknown and not apprehended. Award \$5,350.00 arrears and continuing payment of \$50.00 per month.

Application Number 100-14

The victim, age 27, was stabbed to death during an armed robbery at his Ottawa I.G.A. Store. One offender was sentenced to life imprisonment on conviction of non-capital murder, a second was sentenced to twelve years in penitentiary and two others were sentenced to ten years penitentiary for armed robbery. Award \$4,960.00 to applicant, wife of the victim, covering arrears, and continuing payments of \$270.00 monthly.

Application Number 100-22

The victim, age 48, suffered a back injury which included a chip fracture of his vertebrae when pulled backward over the front seat of a motor vehicle by a person in the back seat. No charges were laid against the offender, however, the Board found that the offender did use considerable force and on a balance of probabilities concluded that a crime had been committed. Award \$1,590.95.

Application Number 100-27

The victim, a former O.P.P. officer, was viciously beaten on a highway near Bobcaygeon. He sustained a broken jaw, the jaw bone being completely severed. The offender was convicted of assault causing bodily harm and fined \$200.00 and costs. Award \$3,543.13. An Interim Award had previously been granted.

Application Number 100-36

The victim, age 18, was assaulted by a group of youths while walking on a London street. He received severe lacerations to the face and examination revealed complete division of the facial nerve. The offender was found guilty and sentenced to eighteen months. Award \$6,316.00.

Application Number 100-41

The victim, age 7, sustained compound depressed fracture of the skull when hit on the back of the head by a thrown rock while walking in a lane in Toronto. The offender was arrested and charged with assault causing bodily harm, the Grand Jury bringing in a No Bill. Award \$634.50 of which \$500.00 was paid to the Accountant, Supreme Court of Ontario, in trust.

Application Number 100-47

The victim, a 59 year-old female, was accosted and assaulted when crossing a Toronto street. She sustained multiple bruises and abrasions including a fracture of her right arm. The offender was admitted to Queen Street Mental Health Centre. Award \$300.00.

Application Number 100-60

The victim was assaulted and kicked in the head shortly after leaving a bowling banquet in London. He sustained concussion and lacerations to his right ear. The offender was released on bail and failed to appear for trial. A warrant was issued for his arrest but he has not been located. Award \$3,137.70.

Application Number 100-70

The victim, a 24 year-old female, sustained a back injury with some permanent disability when she was a passenger in a Canadian National Railways train which was derailed due to tampering with an open switch by persons unknown. Police evidence confirmed sabotage. The offenders have never been apprehended. Award \$4,195.94.

Application Number 100-71

The victim, age 46, a truck driver for a Windsor firm was assaulted and beaten in a parking lot of a local tavern. He sustained lacerations to the head and face and suffered concussion. The offenders were unknown. Award \$1,782.68.

Application Number 100-72

The victim, age 64, was beaten unconscious and robbed in a Toronto parking lot. He sustained a fractured spine and multiple chest and brain injuries. The offender was unknown. Award \$2,135.00

Application Number 100-85

The victim, a 68 year-old female, was assaulted and knocked down in an attempted purse snatch, while walking on a Toronto Street. She suffered a dislocated shoulder and bruises to her left hip, right leg and stomach. The offender was unknown. Award \$505.60.

Application Number 100-89

The victim, age 34, the owner of a Toronto art gallery, received a stab wound to the chest and facial contusions when confronted by a young assailant while in a Yorkville establishment. The offender was unknown. Award \$1,300.00.

Application Number 100-92

The victim, age 29, an electrician by trade, was assaulted while having dinner in a Bloor Street restaurant. He received lacerations to the forehead requiring eight stitches. The offender was convicted of assault causing bodily harm and fined \$100.00 or thirty days. Award \$764.00.

Application Number 100-96

The victim, a 21-year-old female, was assaulted by a young male offender on a sidewalk near her Toronto home. She sustained a fractured nose, fracture of the bone below the left eye, and facial lacerations. The offender was unknown. Award \$767.00.

Application Number 100-100

The victim, age 53, a crane operator, was assaulted while playing the violin at a wedding in North Bay. The assailant apparently was unhappy about the music being played. The victim sustained facial injury, his jaw being broken in four places. The offender was charged with assault causing bodily harm, convicted and fined \$50.00 and costs. Award \$4,909.00.

Application Number 100-101

The victim, a 40 year-old female, was accosted and assaulted on a Toronto street when returning home from work in the late evening. She sustained a minor scalp laceration, requiring stitches. The offender was unknown. Award \$560.25.

Application Number 100-112

The victim, age 19, was attacked by four brothers in a Toronto restaurant. He received severe lacerations to the throat with deep lacerations to his throat muscles and zygoma. One offender who was tried on a charge of wounding was sentenced to two years; a second offender who was tried on a charge of assault causing bodily harm was sentenced to one year; and a Bench Warrant is outstanding for the remaining two offenders who failed to appear for trial. Award \$1,625.00.

Application Number 100-113

The victim, age 24, was assaulted by four brothers while in Toronto restaurant. He received multiple lacerations and knife slashes to the left side of his face and neck which will leave permanent scarring. One offender was tried on a charge of wounding and was sentenced to two years; a second offender was tried on a charge of assault causing bodily harm and was sentenced to one year; and a Bench Warrant is outstanding for the remaining two offenders who failed to appear for trial. Award \$2,480.00 (Same occurrence as 100-112).

Application Number 100-117

The victim, age 16, while driving his motorcycle near Hamilton, was struck on the left side of his face by a pumpkin which was thrown from a passing motor vehicle, causing him to lose control of his motorcycle. He sustained facial lacerations and injuries to his left eye resulting in permanent loss of vision. The offender was unknown. Award \$6,116.19 with \$5,000.00 paid to the Accountant, Supreme Court of Ontario, in trust.

Application Number 100-127

The victim, age 36, on answering a knock at the back door of his Hamilton Home was shot in the stomach and chest by an assailant known to him. The gunshot wounds required extensive operations. The offender was found guilty on a charge of attempted murder and sentenced to life imprisonment. Award \$5,790.00.

Application Number 100-140

The victim, age 64, sustained facial bruises, spinal damage and deflation of one lung when assaulted without provocation in the dock area of Virginia Beach. The offender was sentenced to \$100.00 fine or 10 days. Final Award \$1,823.11. An Interim Award in the amount of \$2,500.00 had been previously granted in 1970.

Application Number 100-146

The victim, a 25 year-old female, while in a Hamilton beverage room received facial lacerations requiring 100 sutures when hit with a broken beer glass. The offender was found guilty on a charge of common nuisance and sentenced to a fine of \$100.00 or 14 days. Award \$919.32.

Application Number 100-149.

The victim, a 31 year-old female, upon leaving a laundromat in West End Toronto, was viciously attacked by two young men. She received a minor fracture of the nose and facial contusions. The offenders were not apprehended. Award \$320.00.

Application Number 100-152

The victim, age 37, after leaving an East End Toronto Restaurant was accosted by three youths who demanded his money. When he told them he had none, he was assaulted receiving a stab wound to the neck and injury to his left eye. The offenders were not apprehended. Award \$695.00.

Application Number 100-158

The victim, a boy age 5, entered a Jackson's Point fishing hut accompanied by a 9 year-old youth who intentionally set fire to the inside of the hut and as a result the 9 year-old lost his life in the fire. The victim received third degree burns to a major portion of his body and is still undergoing treatment. The Board decided to postpone making an award to the victim but with the intention of reviewing from time to time to ascertain the condition and need for assistance. Award \$840.50 to the applicant, mother of the victim covering expenses.

Application Number 100-161

The victim, a 45 year-old Toronto taxi driver was assaulted by a woman passenger. He sustained a lacerated eyebrow and swelling of the eye. Although the charge against the offender was dismissed, the Board found the applicant to be a victim of crime within the meaning of Section 3 (1) of the Act. Award \$141.00.

Application Number 100-163

Victim, a temporary employee of the Liquor Control Board of Ontario, Longlac, while an innocent by-stander to a fatal shooting, received gun shot wounds in the right hip and right wrist. The offender was sentenced to six years imprisonment. Final award \$4,826.72. An Interim Award of \$1,500.00 had previously been granted in 1970.

Application Number 100-165

The victim, age 37, a self employed carpenter of St. Thomas, was fatally shot when walking towards a motor vehicle after having exchanged words with the occupants. Two persons were charged with non-capital murder and after a preliminary hearing, one was discharged. The other was committed

for trial and was found not guilty by a Supreme Court Jury, the Crown being unable to prove the identity of the man who fired the gun. Notwithstanding the dismissal, the Board found that the deceased was a victim of crime under Section 3 (1) of the Act. Award \$1,965.00 arrears and continuing payments of \$100.00 per month to the applicant, the wife of the victim.

Application Number 100-170

The victim, a 51 year-old female, was assaulted when watering the lawn at the rear of her Toronto home. When attempting to protect herself she was stabbed in the right upper chest and received lacerations to the left hand. The offender was not apprehended. Award \$884.50.

Application Number 100-171

The victim, a 70 year-old female, was attacked in an attempted purse snatch on a Hamilton street. She sustained a fractured pelvis and shoulder. The offender was sentenced to 9 months imprisonment and 2 years probation on a charge of robbery which was reduced to theft. Award \$842.00.

Application Number 100-174

The victim, age 63, was assaulted and beaten on a Toronto street near his place of residence. He sustained a broken leg, loss of several teeth, head injuries and damage to his right ear. The offenders were unknown. Final Award \$1,750.00. An Interim Award of \$2,641.87 was previously made in 1970.

Application Number 100-183

The victim, age 58, a shipping supervisor for a Toronto firm was confronted by two men in his office, taken out to his truck with the day's receipts, beaten about the head then fatally stabbed in the chest. One offender was sentenced to life imprisonment on a charge of non-capital murder; the second offender was found not guilty by reason of insanity and committed to the Mental Health Centre, Penetanguishene. Award \$3,175.00 to the applicant, the wife of the victim.

Application Number 100-186

The victim, age 59, proprietor of a Toronto Becker's Milk Store was pistol whipped by two armed gunmen during a holdup attempt. He sustained scalp lacerations requiring 27 sutures. The offenders have never been apprehended. Award \$1,483.00.

Application Number 100-187

The victim, age 40, a Steel Company employee of Hamilton was assaulted by a doorman in a local hotel beverage room. He sustained lacerations and contusions to the face and eyes. The charge against the offender was dismissed. Award \$1,644.80.

Application Number 100-189

The victim, age 38, an Ontario Provincial Police detective sergeant, was fatally wounded while assisting in the arrest of a deranged person. The offender was found not guilty on two charges of non-capital murder by reason of insanity and was committed to the Mental Health Centre, Penetanguishene. Award \$480.00 immediate; April 1, 1972 \$158.00; April 1, 1973 \$158.00; April 1, 1974 \$233.00; October 1, 1974 \$380.00; April 1, 1975 \$380.00; and effective May 1, 1976 \$96.00 per month to the claimant, the wife of the victim.

Application Number 100-194

The victim, age 32, an Elliot Lake garage and service station operator, while visiting with his wife at Mississauga Provincial Park, was without warning attacked by a person with whom he had had a business dispute. He sustained a fractured left jaw, loss of a tooth and damage to the left eye. The offender was charged with assault causing bodily harm and fined \$500.00 or 90 days and 1 year probation. Award \$1,297.30.

Application Number 100-196

The victim, a 55 year-old female employee of a Toronto Becker's Milk Store was injured during a holdup at the store by two assailants. She sustained a pellet wound to the chest from a gas powered pellet gun, as well as lacerations to the head and face from a pistol whipping. The offenders were never apprehended. Award \$2,312.65 (Same occurrence as application number 100-186).

Application Number 100-201

The victim, age 39, while drinking in a Toronto beverage room was invited by and accompanied a lady to her apartment. Shortly after arrival, two men entered and assaulted the victim with a sledge hammer handle. He sustained a fractured facial bone, facial lacerations and a dislocated left elbow. One offender was sentenced to four years imprisonment on a charge of wounding, and the charge against the second offender was dismissed. When determining the amount of the award, the Board took into consideration Section 5 of the Act. Award \$465.00.

Application Number 100-202

The victim, age 49, a casual labourer, after leaving a Toronto hotel in the late evening was accosted and assaulted and robbed by three assailants. He sustained a fractured nose and facial contusions. The offenders were unknown. Award \$534.00.

Application Number 100-205

The victim, age 48, was fatally wounded during a social visit in a Toronto home. Details are contained in our Second Report wherein the applicant, wife of the victim, was awarded periodic payments of \$300.00 per month. Supplementary Award \$765.00 covering payment of accounts not foreseen at the time of the original hearing.

Application Number 100-206

The victim, a 67 year-old female, was assaulted on a Toronto street by a purse snatcher. She sustained a fractured shoulder requiring surgery and facial lacerations, spending four months in the hospital. The offender was unknown. Award \$3,155.20.

Application Number 100-209

The victim, age 35, while in his car on a parking lot of a Sudbury hotel, was shot by the husband of a woman with whom he had recently been living. The woman was fatally wounded at the same time. The victim is now a paraplegic being paralyzed from a point high in his chest to his feet. The offender was sentenced to ten years imprisonment on a charge of non-capital murder. When determining the amount of the award, the Board took into consideration Section 5 of the Act. Award \$475.00 arrears and continuing payment of \$200.00 per month.

Application Number 100-217

The victim, a 66 year-old proprietor of a Windsor clothing store, was badly beaten in a robbery attempt. He sustained a broken wrist and injuries to his head, face, neck and chest. The offender was sentenced to 9 months definite and 6 months indefinite on a charge of robbery with violence. Award \$2,593.72.

Application Number 100-221

The victim, age 53, was assaulted, beaten and robbed on a Toronto street by two men. He sustained head and facial contusions and loss of one tooth. The offenders were charged with attempted robbery and both sentenced to two years less a day in jail. Award \$387.00.

Application Number 100-223

The victim was wounded by her son-in-law, who at the same time fatally shot his wife, the daughter of the claimant. The victim sustained bullet wounds to the face just lateral to the left side of the nose. The offender then committed suicide. Award \$1,492.50.

Application Number 100-235

The victim, a female employee of the Department of National Defence, Ottawa, suffered mental and nervous shock as the result of a bomb explosion in the building in which she was employed. The explosion was caused by the placing of twelve sticks of dynamite at the south east corner of the building. The offender has never been apprehended. Award \$587.00.

Application Number 100-236

The victim, age 41, a Toronto taxi driver, was assaulted by two male passengers. He sustained a fractured jaw and bruises to the head and body. The offenders were unknown. Award \$427.30.

Application Number 100-239

The victim, a farmer in the Wiarton area was assaulted by another farmer of the same area as a result of previous difficulty over a line fence and straying cattle. He sustained lacerations to the face and body contusions. The offender was charged with assault and sentenced to a fine of \$75.00 and costs or 20 days in jail. Award \$425.79.

Application Number 100-241

The victim, age 24, was assaulted on a Toronto street when he went to the assistance of an elderly gentleman who was being beaten by two men. He sustained stab wounds in the back and arm. One offender was sentenced to six months definite and twelve months indefinite on a charge of wounding. On the Crown's appeal this sentence was increased to three years imprisonment. The second offender was found not guilty. Award \$2,495.00.

Application Number 100-242

The victim, when returning to his hotel in Ingersoll was assaulted by several young men. He sustained head and facial lacerations and loss of four teeth. The offenders were unknown. Award \$600.36.

Application Number 100-243

The victim, age 49, was stabbed by a female in a London rooming house after cautioning her on the language she was using to other ladies present. He sustained three stab wounds to the throat cutting nerve roots and the

jugular vein as well as slashes on the left and right arms. The offender was charged with wounding and found not guilty by reason of insanity and was committed to the London Psychiatric Hospital. Award \$2,226.50.

Application Number 100-244

The victim, a 44 year-old female, separated from her husband, was shot by an alcoholic whom she felt sorry for and befriended to try and help with his problem. She sustained a shot gun blast to the face which resulted in the loss of both eyes, and injuries to the right hand and arm, almost severing the arm. The offender at this time committed suicide. Award \$10,000.00 arrears and continuing payment of \$500.00 per month.

Application Number 100-245

The victim was assaulted by the estranged husband of a woman whom he was visiting in a Hamilton apartment. He sustained a fractured nose and facial lacerations. The offender was found guilty of assault and fined \$50.00 or seven days in jail. Award \$249.30.

Application Number 100-246

The victim, age 37, a self-employed brick layer was assaulted outside a Kitchener ethnic club after leaving a dance accompanied by his wife. He sustained a fractured skull and nose and other facial bruises. The offender was fined \$200.00 and costs or 40 days on a charge of assault causing bodily harm. Award \$3,509.47.

Application Number 100-249

The victim, age 23, a drafting student at a Toronto college was assaulted by two bartenders in a local hotel. He sustained a fractured skull and nose and multiple lacerations to the head and face. The offenders were both sentenced to 60 days and fined \$200.00 or 30 days consecutive. Award \$900.00.

Application Number 100-250

The victim, age 38, was assaulted by two assailants inside a garage at the rear of a Toronto residence owned by one of the offenders. He sustained lacerations to the head and face as the result of being struck by a steel cold chisel. One offender was sentenced to one day in jail and fined \$200.00 or three months; the other offender was fined \$50.00. Award \$929.50.

Application Number 100-255

The victim, age 54, manager of a North Bay credit union was seriously wounded by three masked assailants in an armed robbery attempt. He sustained a gunshot wound to the abdomen with lacerations of the liver and lung puncture, as well as lacerations to the head and scalp. The offenders were never apprehended. Award \$3,080.61.

Application Number 100-256

The victim, age 33, was attacked from behind by two assailants in a Toronto hotel parking lot. He sustained a fractured skull and multiple abrasions of the scalp and face. The offenders were unknown. Award \$2,837.75.

Application Number 100-257

The victim, age 49, a TTC bus driver while coming to the assistance of a young girl who was being assaulted in the Eglinton Avenue subway concourse, was at the same time assaulted by the two assailants concerned. He sustained bruised hips and body abrasions. One offender was fined \$300.00

or ninety days on a charge of assault causing bodily harm; but the charge against the other offender was withdrawn. Award \$644.39.

Application Number 100-262

The victim, a 52 year-old female, accompanied by her sister and husband, when trying to intercede by requesting a youth to stop kicking another youth, was assaulted by one of them. She sustained a fractured shoulder requiring lengthy convalescence. The offender was fined \$100.00 or thirty days on a charge of assault causing bodily harm. Award \$1,039.75.

Application Number 100-265

The victim, a 12 year-old girl, sustained deep burns of the face and upper extremities when another youngster poured gasoline from a can and set it on fire. The Board decided to postpone making an award to the victim but with the intention of reviewing from time to time to ascertain the condition and financial need for assistance. Award \$558.20 to applicant, father of the victim, covering expenses.

Application Number 100-267

The victim, on entering a Mount Forest beverage room, approached his brother and asked him if he was going to pay for his car that he had wrecked. As a result, he was knocked to the floor and kicked about the head and face sustaining traumatic injury to the left eye which necessitated removal. The offender was sentenced to four months in jail on a charge of assault causing bodily harm. Award \$3,986.45. Supplementary award of \$125.00 covering payment of account not foreseen at the time of the hearing.

Application Number 100-269

The victim, a 62 year-old security guard, while checking the premises of his Toronto employer was attacked by two assailants. He sustained a fractured skull and lacerations to the face and head. One offender was arrested and his sentence suspended for three years on the condition that he pay compensation to the victim in an amount of \$5,000.00 over the three year period. The Board has exercised its subrogated right and obtained an assignment of all moneys payable under the Order, up to the amount granted by the Board. Award \$2,729.41.

Application Number 100-270

The victim, a 25 year-old female employee of a Toronto Bank, when attempting to obtain satisfactory identification of a lady for the purpose of cashing a cheque, was punched in the face by the lady's nephew. She sustained facial lacerations. The offender was charged with assault causing bodily harm and placed on suspended sentence for fifteen months. Award \$326.25.

Application Number 100-271

The victim, age 28, after leaving a Toronto hotel beverage room was assaulted by three persons. He sustained facial abrasions, bruises and contusions to his legs and body. The offenders were unknown. Award \$200.00.

Application Number 100-273

The victim, age 33, an employee of the Defence Department, while speaking to a carriage maker outside his place of business in Heidelberg, sustained a gunshot wound in the right leg. The offender was unknown. Award 649.00.

Application Number 100-275

The victim, age 22, a Woodbridge construction firm employee, after a slight motor vehicle collision and discussion with the other driver, had his car door slammed on him while re-entering. At the same time, he was further assaulted by being punched in the face and dragged from his car. He sustained the loss of three teeth, facial lacerations, bruises to the head and body, and transient spells of amnesia. The offender was never apprehended. Award \$1,728.61.

Application Number 100-276

The victim, age 70, a pharmacist and manager of a Toronto Tamblyn Drug Store, was attacked by several assailants and beaten about the head, face and shoulders during a robbery attempt. He sustained concussion, fracture of both jaws, broken cheek bones, loss of teeth and head and face lacerations requiring three months' hospitalization. The offenders were never apprehended. Award \$5,540.00. Supplementary award of \$50.00 covering payment of medical account not foreseen at the time of the original hearing.

Application Number 100-277

The victim, age 19, while hunting in the Haliburton area with another youth, sustained a gunshot wound in the right leg, the bullet exploding in the leg blowing out four inches of bone. The injury was caused by the offender's mishandling of his weapon. The offender was charged with careless hunting, fined \$100.00 and costs and his rifle ordered forfeited. Award \$6,330.00.

Application Number 100-278

The victim, age 29, when going to the aid of a female being assaulted in a neighbouring apartment in Port Colborne, sustained four major stab wounds to the chest and facial lacerations. He required five days intensive care and three weeks hospitalization. The offender was charged with wounding and sentenced to four months definite and six months indefinite. Award \$2,814.28.

Application Number 100-282

The victim, age 65, without provocation was assaulted on a Toronto street. He sustained facial lacerations and contusions. The offender did not appear for trial and has never been apprehended. Award \$409.04.

Application Number 100-283

The victim, age 61, when returning to his Toronto home, accompanied by his wife, surprised an intruder, who in making his exit, struck the victim with an iron bar which had been used to gain access. He sustained head lacerations and bruised ribs. The offender was never apprehended. Award \$433.00.

Application Number 100-284

The victim, when returning home, accompanied by her husband, surprised an intruder who in making his exit, injured her husband. She was affected by the extensive bleeding of her husband, suffering shock and anxiety. The offender has never been apprehended. Award \$106.00 (Same occurrence as 100-283).

Application Number 100-285

The victim, age 39, was assaulted by three assailants in his Toronto rooming house. He sustained a fractured left wrist and bruised ribs. One offender was

sentenced to a fine of \$200.00 or sixty days, another to a fine of \$150.00 or 30 days, and a Bench Warrant is outstanding for the third. Award \$655.50.

Application Number 100-286

The victim, age 26, was seriously beaten in the washroom of a Kitchener hotel beverage room and then thrown out the rear door into an alleyway. He sustained severe brain injury from which he will never recover and as a result, is unemployable. The offender was sentenced to fifteen months imprisonment on a charge of assault causing bodily harm. Interim award \$3,217.57. Final award pending receipt of further documentation.

Application Number 100-287

The victim, age 37, while en route to his Hamilton home in the late evening, was accosted and wounded in a robbery attempt. In the struggle, he sustained six stab wounds to the chest and a lacerated hand. The offender was sentenced to five years in the penitentiary. Award \$1,749.89.

Application Number 100-288

The victim, age 53, when answering the door of his Toronto residence, in response to a knock, was assaulted by being struck with an iron bar. He sustained a depressed fracture of the skull. The offender was unknown. Award \$630.00.

Application Number 100-289

The victim, age 36, was assaulted in a Toronto restaurant, sustaining a fractured cheek bone and bruises to the left eye. the offender did not appear for trial and a Bench Warrant is outstanding for his arrest. Award \$776.65.

Application Number 100-290

The victim, a 75 year-old female, was assaulted by three youths who entered her Toronto home with intent of robbery. She sustained a broken left leg which due to her age, necessitated lengthy hospitalization. The offenders were never apprehended. Award \$3,610.96.

Application Number 100-291

The victim a 30 year-old Sault Ste. Marie truck driver, was wounded by his father-in-law, who resides with the victim and his wife. An interim award was made in 1970 with details contained in the Board's Second Report. Second Interim Award \$4,288.49. Final award pending receipt of further medical evidence.

Application Number 100-292

The victim, age 69, a night janitor for a Niagara Falls motel, was assaulted by two men during a robbery of the motel in the early morning hours. He sustained a chest laceration, a strained back and a black eye. The two offenders were sentenced for robbery with violence, one to four years penitentiary and the other to eighteen months definite and six months indefinite. Award \$781.00.

Application Number 100-293

The victim, a London Loblaw employee, was wounded by his brother-in-law, having previously had an altercation with the brother of the assailant. He sustained a deep stab wound in the area of his left chest. The offender

was charged with wounding and sentenced to eight months determinate and twelve months indeterminate. Award \$750.96.

Application Number 100-295

The victim, age 51, was assaulted with a wine bottle in his Toronto rooming house. He sustained lacerations to the face and head and a fractured skull. The offender was charged with assault causing bodily harm and fined \$200.00 or forty days and twelve months probation. Award \$1,682.00.

Application Number 100-297

The victim, age 27, employed by a Hamilton construction firm, was fatally stabbed in a Galt laneway, the motive being robbery. The offender was charged with manslaughter and sentenced to ten years imprisonment. Award \$10,000.00 to the applicant, wife of the victim.

Application Number 100-307

The victim, age 69, while in his room in a Toronto hotel was assaulted by an individual who entered his room and demanded money. He sustained lacerations to the head and face. The offender was unknown. Award \$360.00.

Application Number 100-308

The victim, age 21, was shot by his companion while hunting in Durham Forest. He sustained shotgun pellet wounds to the left eye, mouth, cheek, forehead, chest, right side and hand, with resultant sensitivity to light in the eye. The offender was charged with careless hunting and fined \$100.00 or thirty days. Award \$3,062.72.

Application Number 100-310

The victim, age 61, a Toronto billiard parlour employee, when coming to the aid of the owner who was involved in an altercation with a youth was assaulted by another youth who interceded. He was punched in the left eye, ultimately necessitating the removal of the eye. Charges against the offender were dismissed due to lack of evidence. Award \$5,438.23.

Application Number 100-312

The victim, age 65, when walking on a Toronto street accompanied by his wife, was assaulted by two youths. He sustained a depressed fracture of the left jaw and lacerations to the face, left eye and ear. The offenders were not apprehended. Award \$1,035.90.

Application Number 100-313

The victim, a 26 year-old self employed Toronto cab driver, while walking in the Yorkville area, was assaulted by two of a group of youths of a motorcycle gang. He sustained lacerations to the face and forehead and body abrasions. Charges against the offenders were dismissed due to lack of notification to victim, who failed to attend trial. Award \$146.75.

Application Number 100-314

The victim, age 17, a student in a Niagara Falls school, while having his noon meal at a lunch counter, was assaulted by another youth, a waiter in the establishment. He sustained lacerations to the face and a swollen left eye. As the offender was in the process of joining the Navy the victim rather than hinder the offender's enlistment, accepted an apology and no conviction was registered. Award \$288.00 to the applicant, father of the victim.

Application Number 100-316

The victim, age 32, was accosted and stabbed for no apparent reason when walking in the Woodbine Beach area. He sustained a stab wound to the abdomen with multiple lacerations of the small bowel. The offender was unknown. Award \$1,004.04.

Application Number 100-317

The victim, a 55 year-old CNR employee, while walking on a Toronto street after leaving a local hotel, was cut off by a car when crossing an intersection. The victim complained to the driver at which time the driver alighted and assaulted the victim. He sustained three fractured ribs. The offender was charged with assault causing bodily harm, and sentenced to thirty days imprisonment. Award \$927.70.

Application Number 100-321

The victim, age 63, manager of a Toronto hotel, after closing the beverage room and depositing cash receipts in a second floor office, was assaulted during a robbery attempt. He sustained a hematoma of the left area of the skull, laceration of the lip and body bruises. The offender was charged with assault causing bodily harm and sentenced to thirty days imprisonment. Award \$995.80.

Application Number 100-326

The victim, age 18, while hunting with two friends in Murray Township, was seriously injured by a shotgun blast from a weapon in the hands of one of his companions. As a result of the injury it was necessary to amputate the left leg 2 inches below the knee and he has required frequent hospitalization for one and a half years. The offender, a juvenile, charged with careless hunting was acquitted. In the view of the Board, under the circumstances shown by the evidence of a professional witness from the Centre of Forensic Sciences, the offender could have been charged with an indictable offence. The Board therefore found the applicant to be a victim of crime. Award \$8,034.00.

Application Number 100-329

The victim, sitting in his parked car in front of a restaurant with a female passenger in front, and two other persons in the rear, was assaulted when he objected to indecent remarks being made by one of the rear seat passengers. He sustained severe injury to his right eye causing permanent blindness. The offender was charged with assault causing bodily harm and fined \$200.00 and costs. Award \$5,962.00.

Application Number 100-330

The victim, a 38 year-old Toronto taxi driver, picked up two fares who later assaulted and robbed him, threw him out of the taxi and made their escape in the vehicle. He sustained multiple bruises, cuts and abrasions to various parts of his face and body. The offenders were never apprehended. Award \$423.89.

Application Number 100-331

The victim, age 22, a Guelph police constable, was shot at close range by a man he had in custody. He sustained a bullet wound below the left jaw bone which necessitated an operation and removal of bone fragments. The offender was charged with attempted murder and sentenced to twelve years penitentiary. Award \$4,644.00.

Application Number 100-333

The victim, age 42, a castings grinder for a Toronto firm, while seated at the counter in a local restaurant, was, without provocation, kicked in the face by an assailant. As a result of the injury, the victim lost his left eye and will require plastic surgery to the eyelids. The offender was charged with wounding and sentenced to six months imprisonment and one years probation. Award \$5,327.71.

Application Number 100-335

The victim, aged 21, in company with a group of youths was visiting a cottage at Sturgeon Lake. The youth, whose parents owned the cottage, fired a rifle wounding the applicant. The bullet entered from the back of the neck lodging in the lateral aspect adjacent to the spinal column, and causing paralysis that will preclude him from ever being gainfully employed. The offender was charged with criminal negligence and sentenced to five days in jail and three years probation. Award \$3,624.00 covering arrears and continuing payments of \$300.00 per month.

Application Number 100-340

The victim, age 27, a night employee of a Toronto club, while en route home in the early morning hours, was assaulted by one of a group of individuals on a TTC street car. He sustained lacerations to the face and head and a haemorrhage in the right eye. The offender was charged with assault causing bodily harm and fined \$200.00 or three months. Award \$965.90.

Application Number 100-342

The victim, age 18, was assaulted on a St. Catharines street for no apparent reason. He sustained a fractured jaw and body abrasions. The offender was charged with assault causing bodily harm and sentenced to six months imprisonment. Award \$645.20.

Application Number 100-345

The victim, age 68, was seriously assaulted by being struck over the head with a long-handled shovel. He sustained a fractured skull causing permanent brain damage and partial paralysis and is now confined to a nursing home. The offender was charged with wounding and sentenced to five years imprisonment. Award \$2,145.00 covering arrears, and continuing payments of \$175.00 per month to applicant, the wife of the victim.

Application Number 100-346

The victim, age 68, while doing odd-job work in a Toronto house, was assaulted by an intruder intent upon robbery. He sustained lacerations to the face and head and the loss of three teeth. The offender was never apprehended. Award \$262.50.

Application Number 100-348

The victim, age 28, a millwright in a Hamilton foundry, was assaulted outside his residence by a group of juveniles. He sustained lacerations to the mouth and a broken denture. No charges were laid due to difficulty of identification. Award \$229.75.

Application Number 100-351

The victim, age 30, a Simpson Company investigator, was injured when arresting a shoplifter, He sustained a fourteen inch laceration to the right

forearm requiring 100 stitches. The offender was fined \$150.00. Award \$617.00.

Application Number 100-352

The victim, age 33, was fatally shot in his Toronto apartment. The offender was charged with manslaughter, sentenced to fifteen months imprisonment and ordered deported. Award \$750.00 to applicant, mother of the victim.

Application Number 100-357

The victim, age 60, when in custody at a Toronto Police Station, was assaulted by another individual also in custody. He sustained a broken collar bone. The offender was charged with assault causing bodily harm, and sentenced to thirty days imprisonment. Award \$665.00.

Application Number 100-358

The victim, age 62, after leaving a social gathering at a Windsor club, was assaulted by two youths with a baseball bat. He sustained a serious fracture of the left arm, the bone puncturing the overlying skin from within. The offenders were unknown. Award \$4,536.20.

Application Number 100-362

The victim, a 73 year-old female, was assaulted and knocked down by a purse snatcher on a Belleville street. She sustained a fractured left hip. The offender was unknown. Award \$991.00.

Application Number 100-364

The victim, a North Bay school teacher, accompanied by a friend, attempted to break up a fight between a group of boys and as a result, was attacked by three assailants with chains and knives. He sustained stab wounds to the back, left arm, left side and left chest. The two offenders were convicted of assault causing bodily harm, one being sentenced to one year imprisonment and two years probation, the other being sentenced to nine months definite and six months indefinite and probation for one year. Award \$3,112.93.

Application Number 100-365

The victim, a government employee, accompanied by a friend, attempted to break up a fight between a group of boys, and as a result, was attacked by three assailants with chains and knives. He sustained severe lacerations to the left temple and left cheek and a sprained thumb. The two offenders were convicted of assault causing bodily harm, one being sentenced to one year imprisonment and two years probation, the other being sentenced to nine months definite and six months indefinite and probation for one year. Award \$1,003.10 (Same occurrence as 100-364).

Application Number 100-366

The victim, a 16 year-old female, was assaulted and stabbed en route to her home from the gymnasium of an Oakville school. She received stab wounds to the arm and back, and a lung puncture. The offender was committed to the Mental Health Centre, at Penetanguishene. Award \$2,342.00 of which \$2,000.00 was paid to the Account of the Supreme Court, in trust.

Application Number 100-367

The victim, age 30, was assaulted by an unknown assailant in a Toronto shopping centre. He sustained a fractured nose and facial lacerations. The offender has never been apprehended. Award \$490.73.

Application Number 100-369

The victim, age 53, was assaulted in front of his Sudbury residence for no apparent reason. He sustained lacerations to the face and hands and chest contusions. The offender was charged with assault and sentenced to three months. Award \$334.70.

Application Number 100-371

The victim, a 16 year-old Welland student, was assaulted outside a school bus by a fellow student. He sustained a fractured cheek bone and dislocated jaw. No charge was laid against the offender. Award \$458.65 to the applicant mother of the victim.

Application Number 100-374

The victim, a 71 year-old widow, while walking on a Smiths Falls street, was assaulted by a would-be purse snatcher. She sustained a badly fractured left shoulder. The offender was never apprehended. Award \$1,443.40.

Application Number 100-375

The victim, a 58 year-old female, was injured when a CNR train was derailed outside Toronto by an act of sabotage. She sustained back and leg injuries. The offenders have never been apprehended. Award \$1,867.95 (Same occurrence as 100-70).

Application Number 100-376

The victim, a 27 year-old female, while en route to her Toronto home was accosted by an individual who alighted from a car, dragged her into the front seat of the vehicle and assaulted her. She sustained facial lacerations and body contusions. The offender was not apprehended. Award \$610.00.

Application Number 100-377

The victim, age 42, was assaulted in the basement of a Kitchener boarding house where he was a tenant. He sustained a compressed skull fracture with paralysis of the right hand and arm. There were no witnesses and after an inquiry before a Justice of the Peace, it was decided there was insufficient evidence to lay a charge. Award \$2,260.00.

Application Number 100-379

The victim, age 24, a student-at-law, was, without provocation, assaulted while a patron in a St. Catharines club with two male friends. He sustained facial lacerations and contusions. The offender was charged and given a suspended sentence. Award \$276.39.

Application Number 100-382

The victim, age 16, when walking along a Toronto street with a friend during the early evening, was wounded in the left eye by a pellet from a pellet gun. The seriousness of the injury necessitated removal of the eye. The offender was unknown. Award \$6,423.75 of which \$5,000.00 was paid to the Accountant of the Supreme Court, in trust.

Application Number 100-384

The victim, age 25, was assaulted by a group of men in front of a St. Catharines hotel. He sustained a fractured jaw, facial lacerations and loss of teeth. Two offenders were arrested, charged with assault causing bodily harm, one receiving six months, and the other thirty days. Award \$1,456.90.

Application Number 100-388

The victim, a 26 year-old female employee of a St. Catharines grocery store was injured during a robbery of the store by two masked men. She sustained scalp lacerations when struck with a length of metal pipe. The two offenders were charged with armed robbery, one being sentenced to four years in penitentiary, the other to reformatory. Award \$569.00.

Application Number 100-390

The victim, a 23 year-old Toronto police constable, when attempting to arrest an individual as the result of a complaint, was viciously kicked in the left knee resulting in a torn cartilage and necessitating an operation. The offender was charged with assaulting a police officer and was sentenced to fourteen days in jail. Award \$800.00.

Application Number 100-391

The victim, age 34, single, was shot to death in a Sault Ste. Marie rooming house. The offender was charged with non-capital murder and sentenced to nine years imprisonment. Award \$2,507.27 to the applicants, mother and sister of the victim.

Application Number 100-396

The victim, age 22, an employee of a Sudbury mining company, was assaulted without provocation on a local street. He sustained a fractured jaw. The offender subsequently was killed in a car accident prior to being brought to trial. Award \$908.69.

Application Number 100-398

The victim, age 53, a past-officer of a Kitchener Legion Branch, after requesting a patron to control his behaviour, was twice assaulted by the individual. He sustained multiple rib fractures, fracture of the lower vertebrae, fractured facial bones, damage to teeth and multiple body contusions. The offender, a member of the armed forces, was convicted of assault causing bodily harm, and placed on suspended sentence with probation for one year. Award \$2,212.12.

Application Number 100-399

The victim, age 32, was wounded after an argument with a drinking companion in a Kakabeka Falls dwelling. He sustained a gunshot wound in the right buttock which damaged the bowel and sciatic nerve causing serious permanent disability. The offender was convicted of wounding and sentenced to nine months in jail. Award \$10,000.00.

Application Number 100-404

The victim, a 38 year-old widow, was returning to her home from a visit with her brother, when she was accosted and knocked to the ground in an attempted purse snatch. She sustained lacerations and bruises to her face and knees. The offender was unknown. Award \$145.00.

Application Number 100-405

The victim, age 29, a bartender in a Windsor beverage room, requested a male patron who had been causing trouble to leave the premises. He left and returned with a friend and in a struggle that ensued, the victim sustained gunshot wounds to the neck and back. Both of the offenders were convicted of assault causing bodily harm, each being sentenced to eighteen months imprisonment. Award \$6,063.50.

Application Number 100-406

The victim, age 46, while drinking in a Toronto beverage room, approached his employer who was a patron, regarding some back wages. Without provocation, he was assaulted resulting in the loss of vision in his left eye. The offender was charged with assault causing bodily harm and sentenced to thirty days in jail. Award \$6,332.20.

Application Number 100-407

The victim, age 49, while in a Sudbury hotel beverage room, accompanied by his wife, and after speaking to a lady whom he thought to be a friend of a friend of his, was later without provocation assaulted by her escort. He sustained a fractured nose and facial lacerations. The offender was charged with assault causing bodily harm, and fined \$50.00 or twenty days. Award \$1,387.60.

Application Number 100-408

The victim, age 34, when coming to the aid of a bartender in a Windsor beverage room, who had been assaulted and shot, sustained a badly sprained left ankle. Both offenders were convicted of assault causing bodily harm, each being sentenced to eighteen months imprisonment. Award \$538.34 (Same occurrence 100-405).

Application Number 100-409

The victim, age 38, was shot four times after alighting from his car in the driveway of his St. Thomas home. He sustained gunshot wounds to the back, right arm and stomach. The offender was unknown. Award \$1,600.30.

Application Number 100-410

The victim, age 48, after leaving a Sudbury hotel about midnight, was, without provocation assaulted. He sustained lacerations to the left arm and face and bruised leg muscles. The offender was charged with assault causing bodily harm and sentenced to six months in jail. Award \$628.03.

Application Number 100-412

The victim, a 20 year-old female, while walking toward her home on a Toronto street, was offered a lift which she accepted. Prior to reaching her place of residence she was assaulted by the driver, but managed to get the car door open and jump onto the street. She sustained stab wounds in the stomach and back. The offender was charged with wounding and sentenced to one year in jail. Award \$1,599.65.

Application Number 100-413

The victim, a 76 year-old female, while en route to a Toronto church, was knocked to the pavement in a purse snatch. She sustained contusions to the left knee. The offender, a juvenile, was sentenced to training school for an indefinite period. Award \$25.00.

Application Number 100-420

The victim, age 51, was assaulted in the hallway leading to his Toronto apartment by an assailant whom he had never met. He sustained lacerations, bruises and abrasions to the head and face. The offender was charged with assault causing bodily harm, and sentenced to a fine of \$100.00 or 10 days. Award \$692.50.

Application Number 100-422

The victim, a 52 year-old female, accompanied by her female friend, when

visiting the Toronto apartment of a male friend on invitation, was assaulted by three individuals who were in the apartment. She sustained multiple contusions and abrasions. The offenders were charged with assault causing bodily harm, one being sentenced to a fine of \$200.00 or sixty days, the other two being sentenced to a fine of \$100.00 or thirty days. Award \$455.00.

Application Number 100-423

The victim, a 71 year-old female, was knocked down and injured in an attempted purse snatch when nearing her Guelph residence. She sustained abrasions to her head, neck, knees and hands. The offender was unknown. Award \$346.50.

Application Number 100-426

The victim, a 49 year-old female, accompanied by her husband, was assaulted by an individual when she went to his Toronto apartment to see her daughter who had been living common-law with the assailant. She sustained a fractured left arm. The offender was charged with assault causing bodily harm and sentenced to three months concurrent with a term then being served of three years in penitentiary. Award \$1,020.70.

Application Number 100-427

The victim, accompanied by his wife, was assaulted by an individual when attending at his apartment to see his daughter who had been living common-law with the assailant. He sustained a cut to the side of his nose and broken glasses. The offender was charged with assault causing bodily harm and sentenced to three months concurrent with a term then being served of three years in penitentiary. Award \$17.00 (Same occurrence as case Number 100-426).

Application Number 100-430

The victim, age 19, an employee of a Toronto theatre, when en route to a night deposit box, was assaulted in a robbery attempt. He received lacerations to the head as the result of being struck with an iron bar. One offender was charged with robbery and sentenced to four years imprisonment; the other was charged with possession, given a suspended sentence and three years probation. Award \$150.00.

Application Number 100-434

The victim, age 14, was assaulted while attending a roller-hockey game at the St. Clair Beach Arena, when a fight broke out between the Sarnia and Windsor teams. He sustained a fractured nose and facial lacerations. The offender was charged with assault causing bodily harm and fined \$200.00 or twenty days in jail. Award \$510.59 to applicant, father of the victim.

Application Number 100-433

The victim, age 22, when attending a dance with his girlfriend at a Toronto ethnic hall, was assaulted by two individuals wielding bottles. He sustained lacerations to the face and right wrist. The offenders were charged with assault causing bodily harm, and each sentenced to three days in jail and \$200.00 fine or 30 days additional. Award \$1,005.40.

Application Number 100-437

The victim, age 49 and single, an employee of the Thunder Bay Terminal

Elevator, after arriving at a laneway adjacent to his home, was attacked, knocked to the ground and stabbed. He sustained stab wounds to the neck, arm and a gaping chest wound which resulted in a degree of permanent disability. Award \$4,895.80.

Application Number 100-439

The victim, a 22 year-old female, was wounded by her husband from whom she was separated, after he had forcibly entered her mother's residence near Odessa. She sustained a gunshot wound to the back of the left shoulder. The offender was charged with wounding and sentenced to two years in reformatory. Award \$1,858.20.

Application Number 100-444

The victim, age 64 and living alone, was assaulted by two masked men in a robbery attempt at his residence near Warsaw. He sustained a fractured nose, three fractured ribs and abrasions and contusions. The two offenders were found guilty of robbery with violence and each sentenced to four years in penitentiary. Award \$525.00.

Application Number 100-447

The victim, age 83, an Edmonton resident, was assaulted by two strangers in his Toronto hotel room during a robbery. He sustained severe head injuries and multiple bruises. The offenders were never apprehended. Award \$1,091.65 to applicant, daughter of the victim who holds a Power of Attorney.

Application Number 100-449

The victim, age 60, was assaulted and robbed by two assailants in his Tilbury hotel room. He sustained fractures of the nose, upper cheek bone, right eye socket and lacerations and bruises. One offender was charged with assault and robbery and sentenced to five years in penitentiary; the other was charged with robbery and sentenced to three and a half years in penitentiary. Award \$1,940.00.

Application Number 100-451

The victim, age 51, a millwright with a Kapuskasing paper company, while sitting in a beverage room accompanied by his wife, was assaulted by another patron. He sustained a fractured nose and facial lacerations. The offender was charged with assault causing bodily harm and fined \$100.00 or thirty days. Award \$550.04.

Application Number 100-452

The victim, age 31, when about to enter his car in a hotel parking lot near Dryden, was assaulted by an individual who mistakenly believed that the victim had assaulted his son-in-law. He sustained a badly shattered jaw, fractured on the left side and multiple fractures on the right side. The offender was charged with assault causing bodily harm and fined \$200.00. Award \$4,004.71.

Application Number 100-458

The victim, age 52, while stopped in his car at a Toronto street intersection, was accosted and assaulted by another driver who accused him of cutting him off in traffic. He sustained facial lacerations and damaged teeth. The offender was charged with assault and fined \$150.00. Award \$250.00.

Application Number 100-462

The victim, age 25, was fatally shot by a boarder in his Atikokan apartment when trying to prevent the offender from taking possession of a loaded rifle for the purpose of shooting a person who had beaten up the offender. The offender was charged with manslaughter and sentenced to 20 years imprisonment. On appeal, sentence was reduced to ten years. Award \$2,520.00 arrears and continuing payments of \$140.00 per month to applicant, the wife of the victim.

Application Number 100-469

The victim, age 36, after leaving a Sudbury hotel beverage room, was assaulted by a group who were speaking a foreign tongue. He sustained lacerations to the face and mouth and damage to his teeth. One offender was arrested, charged with assault causing bodily harm and sentenced to six months in jail. Award \$1,129.45.

Application Number 100-471

The victim, age 36, after leaving a Hamilton hotel beverage room in the early evening, was assaulted and robbed just outside the hotel. He sustained facial lacerations and bruises and scalp lacerations. The offenders were unknown. Award \$737.54.

Application Number 100-482

The victim, a 28 year-old married woman with four children, while attending at the home of a neighbour to question the family concerning the conduct of their son and his dog, who had attacked the victim's daughter at school, was assaulted. She sustained a fractured jaw and body bruises. The offender was charged with assault and was acquitted. Award \$910.00.

Application Number 100-483

The victim, a partner in a Toronto Chinese restaurant, was assaulted and robbed by a person to whom he had given a lift while making deliveries. He sustained multiple scalp lacerations. The offender was found guilty on a charge of robbery and sentenced to two years less one day. Award \$590.00.

Application Number 100-501

The victim, a 40 year-old widower, in going to the assistance of a bartender in a Toronto hotel beverage room who was being assaulted, sustained stab wounds to the left flank and side completely severing a rib. The offender was charged with assault causing bodily harm and sentenced to sixty days in jail. Award \$2,083.64.

Application Number 100-506

The victim, a 16 year-old female, while standing in the yard of a friend's home on the Mountbatten Indian Reserve, sustained gunshot wounds in the right arm and right breast, fired from a gun in the hands of a deranged or drunken person, who shortly after committed suicide by shooting himself. As a result of the wounds, the victim is now a paraplegic. Award \$3,100.00 arrears and continuing payment of \$200.00 per month.

Application Number 100-517

The victim, age 55, when returning to his Toronto home in the early evening accompanied by his wife and daughter, interceded on behalf of his daughter who had been accosted by a youth and as a result, was attacked and assaulted. He sustained a fracture of the cheek bone and upper jaw, facial

lacerations and damaged teeth. The offender was charged with assault causing bodily harm and sentenced to three months in jail and one year probation. Award \$1,466.06.

Application Number 100-520

The victim, age 67, a cashier on duty for a Toronto taxi company was assaulted and robbed while in the office. He sustained a depressed fracture of the right cheek. The offender was charged with assault causing bodily harm and fined \$100.00 or 15 days. Award \$467.46.

Application Number 100-552

The victim, age 27, was found floating in a Kingston area lake. Police attribute his death to murder or as the result of assault. The offenders have not been apprehended. Award \$1,522.75 covering arrears and continuing payments of \$295.00 per month to the applicant, wife of the victim.

Application Number 100-554

The victim, a 60 year-old female, after leaving the Port Colborne General Hospital, was assaulted in the hospital grounds during a purse snatch by two youths. She sustained body bruises and contusions. The offenders were unknown. Award \$484.32.

Application Number 100-566

The victim, age 51, an employee of the Department of Lands and Forests, Sudbury Area, was assaulted by several persons on a local street. He sustained a fractured skull and body bruises. Five offenders were subsequently charged with assault causing bodily harm but because of the difficulty in locating the victim, after four remands, the charges were withdrawn at the request of the Crown Attorney. Award \$2,622.82.

Application Number 100-583

The victim, age 22, a school teacher in a Midland school for retarded children, was assaulted on a local street. He sustained lacerations and contusions to the face and body. The offender was charged with assault causing bodily harm and sentenced to 30 days in jail. Award \$329.90.

Application Number 100-610

The victim, age 35, a Toronto doctor, was assaulted without warning in a local mall, and kicked about the head and body. He sustained bruises and contusions, to various parts of the body. The offender was convicted of assault causing bodily harm and sentenced to thirty day in jail. Award \$1,174.80.

Application Number 100-616

The victim, age 15, while at an Iroquois Falls school dance, was assaulted by another youth. He sustained bruises to the left eye and right leg. The offender was convicted of assault causing bodily harm and placed on two years probation. Award \$100.00 to applicant, uncle of the victim.

Application Number 100-671

The victim, a 22 year-old female, was manually strangled to death in a laneway off a Thunder Bay street. The offender was charged with non-capital murder and found not guilty by reason of insanity and committed to the Penetanguishene Mental Health Centre. Award \$568.00 to applicant, mother of the victim.

DECISIONS WHERE PUBLICATION OF EVIDENCE
WAS ORDERED TO BE RESTRICTED

Application Number 100-39

The victim, an 18 year-old female, when being driven home by a male companion was taken to a secluded area and indecently assaulted. The offender was charged with rape which was reduced to indecent assault, fined \$300.00 and placed on two years probation. Award \$825.00.

Application Number 100-58

The victim, a minor at the time of the occurrence was assaulted and raped by a number of members of a motorcycle gang. Owing to lack of identification, only one alleged attacker could be identified by the victim. He was charged with rape and found not guilty. The Board, in accordance with Section 5 of the Act, took into account all circumstances it considered relevant and found the victim compensable under the Act. Award \$3,058.99 of which \$2,500.00 was paid to the Supreme Court Accountant, in trust.

Application Number 100-268

The victim, a 37 year-old female, after having finished using the Laundromat, was accosted by a youth with a knife, forced into her car and made to drive to a vacant field where she was subsequently raped. A suspected offender was later arrested and charged with murder of another female, found not guilty by reason of insanity and committed to Penetanguishene Mental Health Centre. Award \$1,989.11.

Application Number 100-272

The victim, a 24 year-old female, when answering a knock at the front door of her residence, was forced back into the house and when resisting the advances of the assailant, sustained 28 stab wounds to various parts of the head, face and body. The offender was charged with attempted murder, found not guilty and sentenced to two years imprisonment and three years probation. Award \$1,142.83.

Application Number 100-294

The victim, age 33, in the late evening was abducted from a street, forced into a car, driven to an outlying area and raped. The offender was charged with rape, sentenced to two years imprisonment and three years probation. Award \$5,058.67.

Application Number 100-306

The victim, an 18 year-old female, when en route home by municipal bus, and after all passengers had disembarked, was driven to an isolated area and raped by the bus driver. The offender was charged with rape and sentenced to five years imprisonment. Award \$2,911.45.

Application Number 100-319

The victim, age 39, a self-employed bread delivery trucker, when walking from his residence to his nearby truck was assaulted with a baseball bat. He sustained a fractured left arm, and required twenty days hospitalization. The offender was unknown. Award \$1,505.00.

Application Number 100-325

The victim, a 42 year-old female, was stabbed and indecently assaulted by

an assailant who entered her car by the passenger door. She sustained stab wounds to the head, face and body. Alleged offender was arrested, charged with wounding and found not guilty due to lack of evidence. Award \$4,482.50. Supplementary Award of \$1,500.00 covering additional loss of wages not foreseen at the time of the original hearing.

Application Number 100-363

The victim was indecently assaulted while alone in a shopping plaza laundromat. She sustained body bruises. The offender was charged with indecent assault and sentenced to nine months imprisonment. Award \$1,006.56.

Application Number 100-372

The victim, age 25, was assaulted by three persons outside a restaurant. One offender was charged with assault and sentenced to thirty days; the identity of the other two is still unknown. Award \$240.00.

Application Number 100-402

The victim, age 24, while hunting with three companions was fatally shot. The offender was charged with dangerous use of firearms, and dismissed. Interim award \$2,000.00 to applicant, wife of the victim. Final award pending the Board's decision.

Application Number 100-403

The victim, age 20, was ordered into a car at gunpoint and driven to an isolated area where he was shot and beaten by persons believed to be members of a motorcycle gang. He sustained a gunshot wound to the right thigh and body bruises. The offenders were never apprehended. Award \$917.78.

Application Number 100-415

The victim, a 22 year-old female, while waiting for a bus, was accosted, forced into a car, taken to an isolated area and raped. The offender was charged with rape and sentenced to twelve years imprisonment. Award \$1,088.00.

Application Number 100-421

The victim, a 71 year-old female, was indecently assaulted when an intruder entered her home. The offender was never apprehended. Award \$556.00.

Application Number 100-463

The victim, a minor at the time of the occurrence, when returning home in the late evening was accosted near her home and indecently assaulted. She sustained scalp lacerations. The offender was unknown. Award \$412.50.

Application Number 100-484

The victim, a 19 year-old female, was found murdered in the family home by the parents when they returned from a visit. The offender was charged with non-capital murder, found not guilty by reason of insanity and committed to the Penetanguishene Mental Health Centre. Award \$954.32 to the applicant, father of the victim.

Application Number 100-494

The victim, age 14, when leaving school was without provocation, assaulted by another student. He sustained contusions to the face and body and loss of a tooth. The offender, a juvenile, was charged with assault causing bodily harm, sentence suspended and placed on indefinite probation. Award \$976.10 to applicant, father of the victim.

PERIODIC AWARDS REVIEWED

Application Number 100-1

The victim, a 26 year-old cab driver was fatally shot when three youths attempted to rob him on the outskirts of Toronto. The Board granted an award of \$100.00 per year to a partially dependant mother, a resident of Lebanon. (See Second Report of the Board for details) The Award was reviewed in accordance with Section 13 of the Act by means of a Canada Post Office Acknowledgement of Receipt requiring the recipient's signature and thus ensuring that the payee is still alive and annual payment personally received. The Board directed that the present award stand.

Application Number 100-56

The victim, age 39, was reported missing in 1969. His body was found floating in Veuve River, death being due to strangulation as a result of homicide. The Board granted an award of \$76.00 per month to the dependant wife. (See Second Report of the Board for details.) In accordance with Section 13 of the Act, the Board Investigator attended upon the wife, reviewed in detail her present financial situation as compared to her situation at the time the award was granted and found that her financial situation has not improved, but has deteriorated due to mismanagement. The Board directed that the present award stand.

Application Number 100-120

The victim, a 44 year-old CNR fireman, was killed in a train derailment caused by an open switch due to sabotage. The Board granted an award of \$150.00 per month to his dependant wife. (See Second Report for details.) In accordance with Section 13 of the Act, the Board investigator attended upon the wife and reviewed in detail her present circumstances. It was found that there has been no change whatever in her financial situation since the date of the granting of the award. The Board directed that the present award stand.

Application Number 100-205

The victim, age 48, was fatally wounded following an argument during a social visit in a Toronto home. The Board granted an award of \$300.00 per month to the dependant wife and three minor children. (See Second Report of the Board for details.) In accordance with Section 13 of the Act, and also due to a verbal complaint from a married daughter re the handling of her funds, the Board Investigator reviewed the situation in detail. Interviews were conducted with several persons having knowledge of the wife's home life and financial situation, including the Children's Aid representative, the two married daughters and the recipient herself. The wife has lost certain real estate including her equity due to foreclosure. However she is relieved of mortgage payments but this amount would now have to be directed towards rental and operation of the household. As a net result of the investigation it was found that her present financial situation has not improved since the date of the award. The Board directed that the present award stand.

APPLICATIONS DISMISSED

Application Number 100-137

The victim, age 56, after consuming wine at a friend's Toronto home, left the residence by taxi accompanied by his friend and two young daughters. Subsequently the victim alleges he was assaulted by the taxi driver and sustained a fractured right ankle. No charge was laid against the driver and no police occurrence report was made. The Board, on the evidence, decided it would be a miscarriage of justice to find that the taxi driver assaulted his passenger. The Board further found that the victim, by his own behaviour, directly contributed to his injury. The application was therefore dismissed.

Application Number 100-138

The victim, in an altercation with several other persons on a St. Catharines street, sustained a linear fracture of the right knee cap. The victim although knowing the persons concerned did not report the matter to the police or lay charges. The Board was not satisfied on a balance of probabilities that a crime had been committed and concluded that he was a willing participant in the fight. The application was therefore dismissed.

Application Number 100-139

The victim, age 24, was murdered while operating a Hamilton taxi cab as a relief driver. Assets in the estate sufficed to pay funeral and burial expenses and the applicant the wife of the victim, was found by the Board to have suffered no pecuniary loss as a result of the death. The application was therefore dismissed.

Application Number 100-141

The victim, age 47, was robbed and beaten in his Hamilton home by several persons. He sustained multiple lacerations and head injuries. One offender was charged with robbery and sentenced to eight years imprisonment and ten lashes. The victim subsequently died as the result of a fire in his home and the estate executor proceeded with the claim. The Board found that if the victim had not died compensation would undoubtedly have been paid to him. However, as the result of his death no person suffered pecuniary loss. The application was therefore dismissed.

Application Number 100-254

The victim, age 46, while walking in the High Park area, was assaulted by two persons and sustained two fractured ribs. Although he telephoned the police he did not await their arrival. They interviewed him the following day and he requested that a report not be submitted stating that even though the culprits were apprehended he would not lay a charge. The Board was of the opinion that the victim did not co-operate with the police and found there was no corroboration of his evidence. The application was therefore dismissed.

Application Number 100-266

The victim, age 14, a student at a Toronto vocational school, in an altercation with other youths, sustained a stab wound in the back. One offender was charged with wounding and acquitted on the grounds that he had been attacked by the other youths and drew a knife in self-defence. The Board in accordance with Section 5 of the Act, took into account all the circumstances it considered relevant, including any behavior that directly or in-

directly contributed to his injury and found the applicant not compensable under the Act. The application was therefore dismissed.

Application Number 100-280

The victim, a Toronto cab driver, in an altercation with another cab driver over a fare, sustained scratches to the nose and neck. Each charged the other with assault and both charges were dismissed. The Board found that under the circumstances they could not find the applicant a victim of crime. The application was therefore dismissed.

Application Number 100-303

The victim, age 35, living at a Rice Lake summer camp operated by his father-in-law, while attempting to evict some youths in a car from the property, had his arm caught in the windowframe of the car, the window being down. As the vehicle started he was then thrown to the ground and sustained a dislocated left shoulder. The identity of the youths was never established. The Board reviewed the circumstances as consistent with an accident as there was no evidence of any assault on the part of anyone and found the claimant was not a victim of crime. The application was therefore dismissed.

Application Number 100-361

The victim, age 43, while visiting with a lady in a Toronto home, was fatally shot by the woman's estranged husband. The offender was found guilty of manslaughter and sentenced to five years imprisonment. Assets in the estate were sufficient to pay funeral and burial expenses and the applicant, the wife of the victim, was found by the Board to have suffered no pecuniary loss as a result of the death. The application was therefore dismissed.

Application Number 100-411

The victim, age 68, was allegedly assaulted by an Ottawa police constable when being questioned, sustaining a bruised wrist. The Board concluded that the applicant was not a victim of crime and therefore not compensable under the Act. The application was therefore dismissed.

Application Number 100-533

The victim, a 59 year-old female, while en route to a Toronto church was knocked down by two boys running along the sidewalk, sustaining a sprained hip. The incident was not reported to the police. The Board found that the occurrence was the result of an unfortunate accident and that the applicant was not a victim of crime. The application was therefore dismissed.

Application Number 100-601

The victim, age 52, a CNR engineer, injured in a traffic accident, alleged the reason for the accident was that some unidentified person had put a tranquillizer pill into an aspirin bottle which he took believing it to be an aspirin. The Board found that the applicant was not a victim of crime. The application was therefore dismissed.

